

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, October 18, 2016 - 7:00 PM
4 Depoe Bay City Hall

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

8
9 STAFF: City Recorder P. Murray, City Superintendent B. Weidner, Recording Secretary
10 E. LuMaye

11
12 I. PLEDGE OF ALLEGIANCE

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

14
15 II. CALL TO ORDER

16 Mayor Mattila called the meeting to order at 7:01 PM and established a quorum.

17
18 III. APPROVE MINUTES: September 20, 2016 Regular Meeting and October 4, 2016 Executive
19 Session and Regular Meeting

20
21 Motion 1: Gambino moved to approve the minutes of the Regular meeting of Tuesday, September 20,
22 and the Executive Session minutes and Regular minutes of the October 4 meetings. Wiseman seconded
23 the motion.

24
25 Mayor Mattila said it was moved and seconded, and called for discussion. There was none.

26
27 Vote: Motion 1 passed.

28 Ayes: Bates, Fisher-Brown, Gambino, Grant, Mattila, Rustenhoven, Wiseman

29
30 IV. ACCOUNTS PAYABLE

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

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

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36 Vote: Motion 2 passed.

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

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39 V. SPECIAL ORDERS

40 There were no Special Orders.

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

43 A. Planning Commission Recommendation – Proposed Revisions to Depoe Bay Sign Ordinance
44 and to Incorporate Sign Ordinance into Depoe Bay Zoning Code

45 Roy Hageman, 325 SW Coast Avenue, Planning Commission President, said he was present
46 representing the Planning Commission and City Planner Lewis, who couldn't be here. He asked the
47 Council whether they want to make the Sign Ordinance a part of the Zoning Code, or to leave it as a
48 stand-alone Ordinance. He said the Planning Commission strongly recommends it become part of the
49 Zoning Code, with one advantage being that it would be a well-defined process. He noted there are five

1 different Sign Ordinances which amend each other. He said the Planning Commission had not been
2 directed to draft an Ordinance, but to make recommendations, and something needs to be done. There
3 was discussion. (Copy of Planning Commission recommendations attached to original of these minutes.)
4

5 Motion 3: Gambino moved that we accept the recommendation of the Planning Commission, and
6 incorporate it into the Planning Commission Ordinances and go forward with that process. Fisher-Brown
7 seconded the motion.
8

9 Discussion: There was brief discussion during which Mr. Hageman noted that out of the cities the
10 Planning Commission researched, Depoe Bay is the only one that has a stand-alone Sign Ordinance.
11

12 Vote: Motion 3 passed.

13 Ayes: Bates, Fisher-Brown, Gambino, Grant, Mattila, Rustenhoven, Wiseman
14

15 Murray asked the Council if they preferred legal review of a draft Ordinance to take place before or after
16 public testimony; after brief discussion, there was no objection to having the legal review take place
17 after public hearings.
18

19 VII. PUBLIC COMMENTS

20 There were no public comments.
21

22 VIII. UNFINISHED BUSINESS

23 A. Lightspeed Networks, Inc – Request for Franchise Agreement

24 Murray said at the last meeting Lightspeed representative Bryan Adams addressed the Council about
25 Lightspeed's desire to enter into a franchise agreement with the City, but no action was taken; she said if
26 the Council wants to enter into a franchise agreement with Lightspeed, a motion saying the City of
27 Depoe Bay wants to enter into negotiations on a franchise agreement with Lightspeed would be needed.
28

29 Motion 4: Grant said so made. Fisher-Brown seconded.
30

31 Discussion: Gambino asked if the motion included recommendations made by the City Attorney.
32

33 Murray said if the Council wants that.
34

35 Amendment: Grant amended the motion to include fair negotiations using Gintner's changes. Fisher-
36 Brown accepted the amendment.
37

38 Mayor Mattila called for the question.
39

40 Vote: Motion 4, as amended, passed.

41 Ayes: Bates, Fisher-Brown, Gambino, Grant, Mattila, Rustenhoven, Wiseman
42

43 B. Draft Request For Proposals (RFP) – Engineering and Design Services for Depoe Bay Harbor 44 Wharf Rehabilitation Project

45 Murray asked for the Council's recommendations for an advertising time frame on City Planner Lewis'
46 draft RFP for engineering design services for the harbor wharf rehabilitation (copy attached to original
47 of these minutes). There was brief discussion.
48

49 Motion 5: Gambino moved to proceed with the RFP process for three weeks duration, as it has been
proposed. Wiseman seconded the motion.

1
2 Discussion: There was brief discussion regarding the Council giving direction to the chosen engineering
3 firm.

4
5 Vote: Motion 5 passed.

6 Ayes: Bates, Fisher-Brown, Gambino, Grant, Mattila, Rustenhoven, Wiseman
7

8 IX. NEW BUSINESS

9 A. Contract Review – Gleneden Sanitary District Agreement

10 No action required.

11
12 B. Request to Authorize Expenses – Mayor Mattila Hosting Lincoln County Mayors’ November
13 Lunch

14 Mayor Mattila asked the Council’s authorization for expenses to host November’s Lincoln County
15 Mayors’ luncheon at the Surfrider. He anticipated the cost to run around \$100.

16
17 Motion 6: Fisher-Brown moved to authorize up to \$200 for hosting of the Lincoln County Mayors’
18 November luncheon. Gambino seconded the motion.

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20 Discussion: There was brief discussion.

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22 Vote: Motion 6 passed.

23 Ayes: Bates, Fisher-Brown, Gambino, Grant, Mattila, Rustenhoven, Wiseman
24

25 X. CORRESPONDENCE

26 There were four items of Correspondence (copies attached to original of these minutes): 1) A letter
27 from Janet Fader regarding a bright LED light on the bridge. Murray said that Ms. Fader followed up on
28 her letter by calling PUD, who told her they’d look at the light after last week’s storms were over. She
29 said Weidner took a photo of the light, which isn’t actually on the bridge but is on a pole close to the
30 bridge. Weidner said he is waiting to hear from PUD. He was asked to provide an update at the next
31 meeting. 2) An email from Valerie Sovern and Jeff Million asking if the City will try to make a spot big
32 enough for a legal turn by the postal driver. Weidner said a tree has been removed and he believes there
33 is enough space now; he’s waiting to hear back from the post office.

34
35 There was brief discussion regarding a letter from Rich and Val Allyn that had been distributed
36 confidentially due to financial contents.

37
38 Motion 7: Fisher-Brown moved to make this an Agenda item for the next Council meeting. Gambino
39 seconded the motion.

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41 Discussion: There was no discussion.

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43 Vote: Motion 7 passed.

44 Ayes: Bates, Fisher-Brown, Gambino, Grant, Mattila, Rustenhoven, Wiseman
45

46 Correspondence, continued:

47 3) An email from Bill Patterson regarding potential acquisition of the property at 231 NW Hwy 101.
48 There was brief discussion.

49

1 Motion 8: Fisher-Brown moved that we ask Staff to bring this to the attention of the Parks Commission
2 meeting tomorrow, and have them explore the possibilities of acquiring the property in question.
3 Wiseman seconded the motion.

4
5 Mayor Mattila called for comments; there were none.

6
7 Vote: Motion 8 passed.

8 Ayes: Bates, Fisher-Brown, Gambino, Grant, Mattila, Rustenhoven, Wiseman

9
10 Correspondence, continued:

11 4) An email and letter from Chris van der Velde at Velocity Capital regarding increasing the percentage
12 of allowed vacation rentals (VRDs – vacation rental dwellings) in the proposed Planned Development
13 amendments. Murray said the Planning Commission’s public hearings and the Council’s public hearings
14 have occurred and are closed. The amendments are currently in legal review, and she anticipated the
15 review would be complete and the document ready for presentation to the Council at the November 1
16 meeting, which Mr. van der Velde is planning to attend. There was lengthy discussion, during which Mr.
17 Hageman returned to the podium and told the Council the Planning Commission put in 15% as a
18 placeholder, knowing developers would want an allowance. During the public hearings there was much
19 testimony against any allowance of VRDs in residential zones, with expressed concerns being parking,
20 trash, and noise; and Mr. Hageman said he wouldn’t touch it again with a 10-foot pole. Murray noted
21 there will be two additional opportunities for public comments at the readings of the proposed
22 Amendments during the Ordinance adoption process.

23
24 Motion 9: Grant moved to re-open public hearings on the percentage of VRDs allowed in this particular
25 PUD. Wiseman seconded the motion.

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27 Mayor Mattila said it was made and seconded, and called for discussion. Murray said any change would
28 affect all Planned Developments because we’re looking at an Ordinance that would become part of the
29 Zoning Code.

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31 Amendment: Grant amended his motion to re-open public hearings on the percentage of VRDs allowed
32 in Planned Developments.

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34 Mayor Mattila called for the question.

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36 Vote: Motion 9, as amended, failed.

37 Ayes: Bates, Grant, Wiseman

38 Noes: Fisher-Brown, Gambino, Mattila, Rustenhoven

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40 Murray said if the City Attorney is done reviewing the Amendments they will be presented at the
41 November 1 meeting to begin the Ordinance adoption process.

42 43 XI. CITY STAFF REPORT

44 Weidner reported: 1) The reservoir project is complete (copy of photos attached to original of these
45 minutes). 2) Rocky Creek is back offline and the reservoir is supplying the City’s water needs. 3)
46 Devils Lake Rock is ¾ of the way done with the Coast Avenue water main. They’ve hit a few snags with
47 service lines, but are doing a great job. 4) There was a fire at the slime eel plant, and they’ve been
48 running a generator when they have eels in. He has been told they have a commercial electrician
49 bringing it up to code. 5) There are still problems with the Crandall lot. People are living there again, so

1 we are back to square one. 6) There was a lot of overtime during last week's storms. Crew had to run a
2 pump to keep the City in water. 7) The orange fencing on the Bay Street parking lot has been removed.

3
4 Murray was not asked for a report.

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6 XII. COUNCIL COMMENTS

7 Fisher-Brown said she was very proud to be part of the recent acquisition of two parking lots.

8
9 Grant concurred, and said it's so important for the future to preserve what we have.

10

11 Mayor Mattila said friends and his son bought an old piano, and there was an old plot of Depoe Bay in
12 the stool. He plans to get a frame and hang it here at City Hall. Fisher-Brown offered her expertise as a
13 professional picture framer for over 15 years, in finding a suitable business to frame it in a way that
14 enhances and preserves it.

15

16 XIII. ADJOURN

17 There being no further business, the meeting was adjourned at 8:38 PM.

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A. J. Mattila, Mayor

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30 Emma LuMaye, Recording Secretary