

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, November 15, 2016 - 7:00 PM  
4 Depoe Bay City Hall

5  
6 PRESENT: President R. Gambino, C. Bates, J. Grant, J. Wiseman

7  
8 ABSENT: Mayor A.J. Mattila, J. Fisher-Brown, J. Rustenhoven

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

12  
13 I. PLEDGE OF ALLEGIANCE

14 President Gambino called for all to stand for the Pledge of Allegiance.

15  
16 II. CALL TO ORDER

17 President Gambino said the Mayor was under the weather and sent his apologies. He called the meeting  
18 to order at 7:09 PM and established a quorum.

19  
20 III. APPROVE MINUTES: November 1, 2016 Regular Meeting

21 Motion 1: Wiseman moved to approve the minutes of the Tuesday, November 1, 2016 Depoe Bay City  
22 Council meeting. Grant seconded the motion.

23  
24 President Gambino said it was moved and seconded, and called for discussion. There was none.

25  
26 Vote: Motion 1 passed.

27 Ayes: Bates, Gambino, Grant, Wiseman

28  
29 IV. ACCOUNTS PAYABLE

30 President Gambino said he reviewed the Accounts Payable and they were fine.

31  
32 Motion 2: Grant moved to approve Accounts Payable. Wiseman seconded the motion.

33  
34 President Gambino said it was moved and seconded, and called for discussion. There was none.

35  
36 Vote: Motion 2 passed.

37 Ayes: Bates, Gambino, Grant, Wiseman

38  
39 V. SPECIAL ORDERS

40 There were no Special Orders.

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

43 Loren Goddard, 15 SW Ellingson Street, reported he is the alternate representative for the Oregon  
44 Coastal Zone Management Association (OCZMA). He said the Oregon Association of Counties took on  
45 leadership of OCZMA in January, 2016. OCZMA's focus is to provide liaison between coastal  
46 communities and coastal organizations, and membership consists of counties, municipalities, watershed  
47 councils, and similar coastal organizations. At the meeting he attended yesterday, legislative priorities  
48 were discussed, including economic development renewable (wave) energy, encouraging research to  
49 take place in designated research areas, transportation, natural resources, resilience, and safety. He said

1 he was appointed to the Ocean Policy Advisory Council (OPAC), and expects to be moved into a voting  
2 seat now that he's been elected to the City Council. (Copy of Goddard's memo dated 11/15/16 attached  
3 to original of these minutes.)  
4

5 Loren Goddard, Near Shore Action Team (NSAT) Chair, reported he can no longer act as Chair or  
6 voting member due to City and NSAT bylaws. He said NSAT work is done and it's time to put it to rest,  
7 at least on hiatus until such time as it might be needed again.  
8

#### 9 VII. PUBLIC COMMENTS

10 There were no public comments.  
11

#### 12 VIII. UNFINISHED BUSINESS

13 There was no unfinished business.  
14

#### 15 IX. NEW BUSINESS

16 A. Proposals – Engineering and Design Services for Depoe Bay Harbor Wharf Rehabilitation Project  
17 Murray reported the Urban Renewal Agency recommended to the Council to table any action on these  
18 proposals until next calendar year. She noted an RFP (Request For Proposals) was put out for  
19 engineering on the dilapidated wharf, and the RFP closed yesterday; two proposals were received.  
20

21 Motion 3: Grant moved to take the advice of the Urban Renewal Agency and table this for the new  
22 Council to discuss sometime next year. Wiseman seconded the motion.  
23

24 President Gambino said it was moved and seconded, and called for discussion. There was none.  
25

26 Vote: Motion 3 passed.

27 Ayes: Bates, Gambino, Grant, Wiseman  
28

29 B. Request to Declare Surplus Property – Boat “Raptor”

30 Murray reported the City foreclosed on a boat in the harbor due to lack of payment of moorage, and last  
31 July the City became the owner of the boat. She said Staff has not been able to find a use for the boat,  
32 and asked the Council to declare it surplus so we can offer it for public sale.  
33

34 Motion 4: Grant so moved. Bates seconded the motion.  
35

36 President Gambino said it was moved and seconded, and called for discussion. There was none.  
37

38 Vote: Motion 4 passed.

39 Ayes: Bates, Gambino, Grant, Wiseman  
40

41 C. Trenchless Pipe Repair (TPR) Quote

42 Weidner reported that when Trenchless Pipe Repair recently TV'd over 5,000 feet of City sewer lines,  
43 several areas in need of repair were identified. He said there is \$60,000 in this year's budget for I&I  
44 repairs, and asked the Council's authorization to spend \$40,000-\$50,000 of that to repair the worst of the  
45 problems, and address the remainder in next year's budget. (Copy of Weidner's memo dated 11/15/16  
46 attached to original of these minutes.)  
47

1 Motion 5: Grant moved that we approve the funds to set aside for Weidner between \$40,000-\$50,000 for  
2 the TV work and repairs. Weidner noted the TV work has already been completed. Wiseman seconded  
3 the motion.

4  
5 President Gambino called for discussion. There was brief discussion.

6  
7 Vote: Motion 5 passed.

8 Ayes: Bates, Gambino, Grant, Wiseman  
9

10 D. Restroom Facility Lease Agreement Renewal Option – Robison Bros.

11 Murray reported the restroom Agreement will expire in April and terms of the Agreement require  
12 written notice of not less than 120 days prior to the expiration date if the City wishes to renew the  
13 Agreement for three years. 120 days' notice would be December 15. She said the Council can take  
14 action tonight or wait until the next Council meeting. She reviewed the terms of the Agreement, and  
15 noted there were Robison Brothers present if the Council had questions to ask of them. (Copy of  
16 existing Agreement attached to original of these minutes.)  
17

18 Motion 6: Grant moved to renew the lease. Bates seconded the motion.

19  
20 President Gambino said it was moved and seconded, and called for discussion. Murray referred to a  
21 memo from Mayor Mattila (copy attached to original of these minutes), who asked her to share his  
22 thoughts that he was not in favor of renewing the Agreement.  
23

24 Vote: Motion 6 passed.

25 Ayes: Bates, Gambino, Grant, Wiseman  
26

27 Murray said the Council's decision would be put in writing before December 15.  
28

## 29 X. CORRESPONDENCE

30 There were three items of correspondence (copies attached to original of these minutes): 1) A letter of  
31 resignation from Jo Fisher-Brown.  
32

33 Motion 7: Wiseman moved to accept with reluctance Jo Fisher-Brown's resignation from the Council,  
34 with a thank you letter for her service. Bates seconded the motion.  
35

36 President Gambino called for discussion. There was none.  
37

38 Vote: Motion 7 passed.

39 Ayes: Bates, Gambino, Grant, Wiseman  
40

41 Correspondence, continued:

42 2) A letter from the State of Oregon, offering to help collect the new marijuana tax. Murray said the City  
43 could enter into an Agreement with the State, who would act as the City's tax collector; the State would  
44 keep 4% of the tax they collect from marijuana establishments in Depoe Bay. She thought this was a  
45 good way to go, and asked the Council's approval to talk to the City Attorney about the offer and bring  
46 back a report to the Council.  
47

48 Motion 8: Grant moved to approve Murray taking this to the City Attorney to make sure everything's  
49 OK. Wiseman seconded the motion.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

President Gambino said it was moved and seconded, and called for discussion. There was brief discussion.

Vote: Motion 8 passed.  
Ayes: Bates, Gambino, Grant, Wiseman

Correspondence, continued:  
3) A letter from Lincoln County Addition Prevention and Recovery Committee, offering to help spend the marijuana tax money the City collects. There was brief discussion.

XI. CITY STAFF REPORT

Murray reported the recruitment advertising budget of \$1,000 will cover advertising in the two local papers for two weeks, but is insufficient for advertising in the Oregonian, as moved at the last meeting. Also, she is postponing her retirement by two months. There was discussion regarding the advertising budget, with no objection heard to advertising on craigslist, in the NewsGuard and the News Times, with the League of Oregon Cities and Oregon Association of Counties.

Motion 9: Grant moved to increase the budget for advertisement for City Recorder to \$1,500. Wiseman seconded the motion.

President Gambino said it was moved and seconded, and called for discussion. There was additional discussion regarding where to advertise and the closing date. Murray will check the rates for advertising in the Tillamook Headlight-Herald. The closing date for applications was set for December 30.

Vote: Motion 9 passed.  
Ayes: Bates, Gambino, Grant, Wiseman

Murray's Staff Report, continued:  
The City's website is now mobile friendly, but there are kinks and giggles to be worked out. In response to a question from a Councilor, she reported payroll will be going live with the new software in January, and it's looking good for the first utility billing parallel run in December.

Weidner reported 1) Reported on the current status of the burlwood property: The Lincoln County Building Inspector and the State Fire Marshall have been referred back to the City for follow up. There was additional discussion.

Motion 10: Wiseman moved to proceed with having our Attorney contact the owner and pursue fining them daily if that's what it takes. Bates seconded the motion.

President Gambino said it was moved and seconded, and called for discussion. There was discussion regarding enforceability, when the County and the Fire Marshall have failed. Murray said what this means is that all enforcement efforts have failed. The City needs to decide whether we want to take the property owner to court. This would require a citation be issued, followed by going to court.

Vote: Motion 10 passed.  
Ayes: Bates, Gambino, Grant, Wiseman

Weidner's Staff Report, continued:

1 2) The Coast Avenue project is coming along great. 3) The Crew is working on winter projects.

2

3 XII. COUNCIL COMMENTS

4 Wiseman said the Marine Science Studies building is having an informational public meeting looking  
5 for public input for planning the building design on November 17 from 5-7 PM at the Hatfield Marine  
6 Science Visitor's Center, and encouraged everyone to go.

7

8 President Gambino thanked everyone for coming.

9

10 XIII. ADJOURN

11 There being no further business, the meeting was adjourned at 8:11 PM.

12

13

14

15

16

17

18

---

Robert Gambino, Council President

19

20

21

22

23

---

24 Emma LuMaye, Recording Secretary