

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, February 21, 2017 - 7:00 PM
4 Depoe Bay City Hall
5
6

7 PRESENT: Mayor B. Leff, C. Bates, D. Callender, R. Gambino, L. Goddard, J. Grant, J. Wiseman
8

9 STAFF: City Recorder P. Murray, City Superintendent B. Weidner, Recording Secretary
10 E. LuMaye
11
12

13 I. PLEDGE OF ALLEGIANCE

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

16 II. CALL TO ORDER

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

19 III. APPROVE MINUTES: February 6, 2017 Executive Session, February 7, 2017 Executive Session
20 and Regular Meeting, February 11, 2017 Executive Session

21 Mayor Leff asked for a motion to approve the minutes of the February 6 Executive Session, February 7
22 Executive Session and Regular Meeting, and February 11 Executive Session.
23

24 Motion 1: Gambino so moved. Grant seconded the motion.
25

26 Mayor Leff said it was moved and seconded and called for discussion. There was none.
27

28 Vote: Motion 1 passed.

29 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
30

31 IV. ACCOUNTS PAYABLE

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

34 Mayor Leff said it was moved and seconded, and called for discussion. There was none.
35

36 Vote: Motion 2 passed.

37 Ayes: Bates, Callender, Goddard, Grant, Leff, Wiseman

38 Abstain: Gambino
39

40 V. SPECIAL ORDERS

41 There were no special orders.
42

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

44 Beanie Robison, 765 SW Coast and Salmon Enhancement Commission Chair, reported that Murray and
45 Weidner are ready to sign off on the R&E grant from ODF&W. He said the project looks good. A tour
46 was planned for Friday.
47

48 A. August 21 Solar Eclipse Planning Committee

1 Mayor Leff asked Fire Chief Josh Williams to provide an update. He reported the fire department will
2 not be allowing any staff time off on eclipse day. There will be personnel at all fire stations. The fire
3 department is looking into renting Segways. ODOT's goal is to keep one lane of traffic open. The
4 Samaritan clinic is not making appointments for that day, and will focus on walk-ins only. The fire
5 department is looking at purchasing a few used portapottys at \$350 each, which will be useful to have on
6 hand for other events. He also reported the fire department construction will be completed in late March
7 and will be holding an open house in April or May, and they would love to see the City come and tour
8 the facility. A Councilor asked what will happen if it is foggy the day of the eclipse; Mayor Leff asked
9 audience member Jaci McKim to respond. Ms. McKim said if it's foggy you won't be able to see the
10 moon passing in front of the sun, but when it hits totality the fog will virtually disappear to the naked
11 eye because the fog is dependent upon the sun's rays to make it visible, and when totality hits for one
12 minute and 58 seconds it would be as if there was no fog and spectators would see a perfect eclipse, and
13 then the fog will become visible again.

14
15 Mayor Leff called Jaci McKim to the podium. Ms. McKim said the Eclipse Committee met on February
16 9. There were a lot of people present who were not part of the Committee, and a couple of them
17 subsequently became part of the Committee. She said OMSI is not renting Boiler Bay that weekend. A
18 draft of the public mailing notice will be ready for review tomorrow. Neighbors For Kids will be closed
19 on the day of the eclipse and most of the day after. The Emergency Communications Office will be out
20 back behind City Hall. The next meeting of the Committee is tomorrow afternoon at 2:00 at City Hall.
21 Some businesses are expected to be affected more than others by the crowd of up to 500,000 people;
22 these businesses included gas stations, grocery stores, the bank, coffee shops, the liquor store, and
23 restaurants. The Committee will be looking at availability of food vs consumption of resources, and
24 discussing whether or not to bring in food trucks and what the regulations are regarding that, and
25 whether to make a request to relax those regulations; there was brief discussion regarding this. Weidner
26 displayed a sample safety vest with a plastic pocket for slipping in Staff IDs, and commented that the
27 vests will be useful for many different events. He is still figuring out how many vests are needed in what
28 sizes.

29 30 VII. PUBLIC COMMENTS

31 There were no public comments.

32 33 VIII. UNFINISHED BUSINESS

34 A. City Recorder Recruitment

35 Motion 3: Grant moved that we go ahead with Option A as discussed in Executive Session. Bates
36 seconded the motion.

37
38 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

39
40 Vote: Motion 3 passed.

41 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff

42 Abstain: Wiseman

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44 Motion 4: Grant moved to go ahead with Option B as discussed in Executive Session. Gambino
45 seconded the motion.

46
47 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

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49 Vote: Motion 4 passed.

1 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff

2 Abstain: Wiseman

3
4 IX. NEW BUSINESS

- 5 A. Proposed Ordinance #312 – An Ordinance Granting to Lightspeed Networks, Inc., DBA “LS
6 Networks”, an Oregon Corporation, a Franchise to Construct, Operate, and Maintain a
7 Telecommunications Network within the City of Depoe Bay, Oregon, and Declaring an
8 Emergency

9 Murray said the draft Ordinance (copy attached to original of these minutes) was presented to LS
10 Networks in November, and they said it looks good. She asked for a motion to read the proposed
11 Ordinance by title only if the Council was ready to proceed with adoption.

12
13 Motion 5: Gambino moved that we read Ordinance #312 between the City of Depoe Bay and LS
14 Networks by title only. Wiseman seconded the motion.

15
16 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

17
18 Vote: Motion 5 passed.

19 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman

20
21 Murray read proposed Ordinance #312 by title only, then called for questions or comments from the
22 audience; there was no audience. She said no written testimony had been received, and the Ordinance
23 had been available for public inspection for more than a week. Mayor Leff called for a motion to adopt
24 Ordinance #312 at the first reading.

25
26 Motion 6: Gambino so moved. Goddard seconded the motion.

27
28 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

29
30 Vote: Motion 6 passed.

31 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman

32
33 Murray said the vote to adopt was unanimous, and the Council could proceed with the second reading if
34 they wished.

35
36 Motion 7: Gambino moved to proceed with the second reading of Ordinance #312, an Ordinance
37 between the City of Depoe Bay and LS Networks. Goddard seconded the motion.

38
39 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

40
41 Vote: Motion 7 passed.

42 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman

43
44 Murray performed the second reading of proposed Ordinance #312 by title only, then called for
45 questions or comments from the audience; there were none. Mayor Leff asked for a motion to adopt.

46
47 Motion 8: Gambino moved to adopt. Goddard seconded the motion.

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49 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

1
2 Vote: Motion 8 passed.

3 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
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5 Murray said after the Ordinance is signed, it will be sent to LS Networks for their signature.
6

- 7 B. Proposed Resolution #455 – A Resolution Authorizing the City of Depoe Bay to Apply for a
8 Local Government Grant from the Oregon Parks and Recreation Department for Acquisition of
9 Lot 700 as an Addition to Oceanfront Scenic Land Park, and Delegating Authority to the Mayor
10 to Sign the Application

11 Murray said at the last meeting the Council approved sending the purchase option agreement to the
12 property owner, and as yet it has not been signed. She said the deadline for submitting the grant
13 application is April 1, and due to the time constraints, she and Fran Recht were asking the Council's
14 consideration to adopt the Resolution (copy attached to original of these minutes) in case the purchase
15 option agreement is received, noting the application cannot be submitted without the agreement. She
16 said the Resolution would give Staff the ability to submit the application if we receive the signed
17 document.
18

19 Motion 9: Gambino moved that we approve and have Mayor Leff sign Resolution #455. Grant
20 seconded the motion.
21

22 Mayor Leff said it was moved and seconded, and called for discussion. There was none.
23

24 Vote: Motion 9 passed.

25 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
26

27 X. CORRESPONDENCE

28 There were two items of Correspondence (copies attached to original of these minutes): 1) an email
29 from Cynda Bruce regarding appointing someone to participate in a Transit Development Plan. There
30 was brief discussion. Callender volunteered to represent the City.
31

32 Motion 10: Gambino nominated Councilor Callender. Wiseman seconded the motion.
33

34 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion
35 during which a Councilor expressed a desire that no downtown parking be lost when setting up bus
36 shelters.
37

38 Vote: Motion 10 passed.

39 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
40

41 Correspondence, continued:

42 2) A letter from the Driftwood Public Library regarding a visioning and planning retreat they are hosting
43 on Saturday, February 25. They would like at least one Councilor to attend. There was brief discussion.
44 Mayor Leff asked for a motion to invite Jack O'Brien to do this, and if he is unable to, Councilman
45 Gambino will do it.
46

47 Motion 11: Goddard so moved. Wiseman seconded the motion.
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49 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

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2 Vote: Motion 11 passed.

3 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
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5 XI. CITY STAFF REPORT

6 Murray reported 1) Gambino attended a Lincoln County meeting regarding affordable housing, and
7 received an invite from the Economic Development Alliance to attend an Employee Housing
8 Exploration working lunch meeting on Tuesday, February 28 from 11:30-2:00 at Salishan, and asked the
9 Council to authorize expending \$20 for lunch plus mileage.

10
11 Motion 12: Wiseman moved to go ahead and fund the \$20 for Gambino to attend. Goddard seconded the
12 motion.

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14 Mayor Leff said it was moved and seconded, and called for discussion. There was none.
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16 Vote: Motion 12 passed.

17 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
18

19 Murray continued her Staff Report:

20 2) Mayor Leff will be hosting the March 10 Lincoln County Mayors meeting. Murray asked the
21 Council's consideration to authorize expenses not to exceed \$140.
22

23 Motion 13: Gambino moved to approve not to exceed \$150 for the six cities' mayor luncheon. Wiseman
24 seconded the motion.
25

26 Mayor Leff said it was moved and seconded, and called for discussion. There was none.
27

28 Vote: Motion 13 passed.

29 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
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31 Weidner reported: 1) Last Sunday the wastewater treatment plant overflowed 15,000 gallons of
32 activated sludge. There was a problem with a pump, and the relays got so hot the pump got stuck open.
33 He reported on cleanup and mitigation actions. There was no fecal count, and the City has not been
34 fined. Mayor Leff officially acknowledged that the Crew all showed up for this on a Sunday morning.
35 (Copy of Weidner's written report attached to original of these minutes.) 2) Roots from a tree in the
36 public right of way on Sunnyview are growing into the sewer line, and the tree is split, rotting, and in
37 danger of falling. He obtained two quotes on removing the tree: \$1,200 from Charlie Tree, and \$1,050
38 from Northwest Tree and Landscape. There was brief discussion. Mayor Leff asked for a motion.
39

40 Motion 14: Gambino so moved. Grant seconded the motion.
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42 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion.

43 Mayor Leff called for the question. Murray clarified the motion was to go with the recommended
44 Northwest Tree & Landscape for \$1,050.
45

46 Vote: Motion 14 passed.

47 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman
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49 Weidner continued his Staff Report:

1 3) The fire department has offered the City four or five 20-foot columns cut out of doorways during their
2 remodel. They would work great for parking bumpers in the Dooner lot in place of railroad ties. City
3 Crew can use the backhoe to put them in place. It was the consensus of the Council to accept the offer.
4 4) PUD will have some telephone poles available in March that we can use in the lot behind The Horn.
5 He will have Crew groom the embankment with a flail mower, and put a new bumper at the edge of the
6 asphalt. Once the bumpers are in place, he will seal-coat the asphalt in black, and have fresh stripes
7 professionally painted. 5) He has had the diamonds and reflective markers on Bay Street placed, and
8 installed the Pedestrians sign since the last meeting. 6) Grant said he owns access to the parking lot
9 behind The Horn, and will not participate in future discussions on that parking lot. He said the City does
10 not have any arrangements to use the access, but he would like to license access to the City for perhaps a
11 dollar a year, because he doesn't want to lose his rights to the access. He said he will have his attorney
12 draw it up, and excuse himself from the discussion.

13

14 XII. COUNCIL COMMENTS

15 Grant feels very good about the Council's work right now.

16

17 Bates said it was a pretty productive meeting.

18

19 Gambino drew attention to an article in a recent League of Oregon Cities Bulletin that encourages cities
20 to pass recreational immunity Resolutions. There was brief discussion. Mayor Leff directed Murray to
21 talk to the City Attorney on this issue.

22

23 Goddard 1) said there is a lot of vegetation, including alder trees which are weeds, growing up along the
24 steep slope behind The Horn, and it blocks harbor visibility. He said tourists should be afforded every
25 opportunity to look at what we have to offer. There was brief discussion regarding getting a professional
26 opinion on removal, and a concern about potential erosion. Weidner said the City Planner knows an
27 arborist; Mayor Leff directed Weidner to check into it and report back to the Council what it would cost.
28 2) Urged the Council to consider avoiding using Urban Renewal funds for engineering feasibility studies
29 and things of that nature for projects that aren't going to immediately benefit the City, until after failing
30 infrastructure is taken care of.

31

32 Mayor Leff said it's delightful working with this Council, and she really appreciates everyone's
33 willingness to put in the hours necessary to get work done, to entertain new ideas, and to look at things
34 creatively. She thinks the Council is being very productive because they're all working hard to make it
35 work, and she appreciates that.

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37 XIII. ADJOURN

38 There being no further business, the meeting was adjourned at 8:20 PM.

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Barbara Leff, Mayor

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49 Emma LuMaye, Recording Secretary