

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

5
6 PRESENT: Mayor B. Leff, C. Bates, D. Callender, R. Gambino, J. Grant, J. Wiseman

7
8 ABSENT: L. Goddard

9
10 STAFF: City Superintendent B. Weidner, Recording Secretary 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 7:03 PM and established a quorum.

18
19 III. APPROVE MINUTES: May 16, 2017 Regular Meeting

20
21 Motion 1: Gambino moved to approve the minutes of the Regular Depoe Bay City Council meeting of
22 May 16, 2017. Wiseman seconded the motion.

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

25
26 Vote: Motion 1 passed.

27 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

28
29 IV. ACCOUNTS PAYABLE

30 Motion 2: Gambino moved to approve Accounts Payable as presented. Callender seconded the motion.

31
32 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

33
34 Vote: Motion 2 passed.

35 Ayes: Bates, Callender, Grant, Leff, Wiseman

36 Abstain: Gambino

37
38 V. SPECIAL ORDERS

39 A. Budget Hearing – Fiscal Year 2017-18 Approved Budget

40 Mayor Leff opened the public hearing and called for public comments. Parks Commission Chair Bill

41 Spores read a letter from the Parks Commission into the record (copy attached to original of these

42 minutes). Mayor Leff closed the public hearing. Grant said he had requested the City Recorder find out

43 where the actual donations that were made to the Parks Commission came from; and knowing that

44 would give more weight to leaving the money where it was, but he hasn't seen anything in writing. He

45 would still like to know if there are any documents showing the source of the funds in question. Mayor

46 Leff said that could be looked up, and adjustments could be made later. She said the Parks Commission

47 has done outstanding work, and she was very disappointed that the one year that the Council feels it

48 necessary to cut back some of the funds to balance the Budget, the Parks Commission thinks the

1 townspeople will think the Council doesn't care about the parks. (Copy of approved Budget attached to
2 original of these minutes.)

3

4 Motion 3: Gambino moved to read Resolution #458 for the City of Depoe Bay, a Resolution Adopting
5 the Budget, by title only. Wiseman seconded the motion.

6

7 Mayor Leff read the proposed Resolution (copy attached to original of these minutes), then called for
8 discussion; there was none. There was no vote.

9

10 Motion 4: Gambino moved to approve Resolution #458, A Resolution Adopting the Budget, Making
11 Appropriations, Imposing and Categorizing the Tax for the 2017-18 Fiscal Year. Wiseman seconded the
12 motion.

13

14 Mayor Leff said it was moved and seconded, and called for discussion, There was brief discussion.

15

16 Vote: Motion 4 passed.

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

18

19 Mayor Leff announced the Budget was passed.

20

21 Motion 5: Gambino moved to read Resolution #457. Wiseman seconded the motion.

22

23 There was no discussion.

24

25 Vote: Motion 5 passed.

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

27

28 Mayor Leff read the proposed Resolution (copy attached to original of these minutes), then called for
29 discussion; there was brief discussion.

30

31 Motion 6: Gambino moved to adopt Resolution #457. Wiseman seconded the motion.

32

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

34

35 Vote: Motion 6 passed.

36 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

37

38 Motion 7: Gambino moved to read Resolution #459 of the City of Depoe Bay by title only. Wiseman
39 seconded the motion.

40

41 There was no discussion.

42

43 Vote: Motion 7 passed.

44 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

45

46 Mayor Leff read the proposed Resolution (copy attached to original of these minutes), then called for
47 discussion. There was brief discussion.

48

49 Vote: Motion 7 passed.

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

2
3 Motion 8: Gambino moved to pass Resolution #459 at the first reading. Wiseman seconded the motion.

4
5 Discussion: There was brief discussion.

6
7 Vote: Motion 8 passed.

8 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

9
10 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

11 A. August 21 Solar Eclipse Planning Committee

12 An unidentified audience member distributed a handout titled *Eclipse brings optimism and*
13 *entrepreneurship in rural Oregon*. (Copy attached to original of these minutes), and read a prepared
14 statement into the record (copy attached to original of these minutes. The statement included a
15 Committee update.

16
17 An unidentified audience member 1) addressed Grant, saying the information he had asked for is
18 available with time and personnel, with donations being mostly documented. 2) The Parks Commission
19 is disappointed that the Council considered their funds “a pot of money”; to the Commission that money
20 was put together with a lot of peoples’ care, and the Commission will believe it will be put back when
21 they see it.

22
23 VII. PUBLIC COMMENTS

24 There were no public comments.

25
26 VIII. UNFINISHED BUSINESS

27 A. Request for Street Name Change – Lillian Lane to Ascent Drive

28 Debbie Metz, 626 NE Lillian Lane asked the Council to consider not renaming the street Ascent. Her
29 father named Lillian Lane after his mother, the family has lived here for over 100 years, and the sign has
30 sentimental value. She suggested the name change be allowed where the street starts to go up the hill.
31 There was discussion.

32
33 Donna Wisniewski Beckham, 624 Lillian Lane, backed Metz and said the family wants to leave it the
34 way it is, and their family has been on that piece of land for over 100 years. The street name means
35 something to them. There was additional discussion.

36
37 Motion 9: Gambino moved we draft a letter to Reece & Associates, the developers, explaining the
38 history behind it and that we would like to keep it that way, so we are denying their request, and ask that
39 Lillian Lane continues from Hwy 101 to where there will be an intersection of a north road and the
40 Ascent hill. Wiseman seconded the motion.

41
42 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion.

43
44 Vote: Motion 9 passed.

45 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

46
47 B. Nuisance Complaint – Crandell Property Tax Lot #8400, 09-11-08-BD

48 Weidner reported the Crandells have removed the RVs and that no one is living on the property. He
49 said 90% of the garbage and rubbish has been removed; however, a boat and other items have arrived,

1 there are refrigeration units up against the wall, and vehicles are parking in the front. He recommended
2 the Council say they met the criteria to dismiss the complaint regarding use of the property for
3 residential purposes, but there is still an issue with rubbish and abandoned vehicles. Mayor Leff asked if
4 he was suggesting the Council ask the Attorney to write a letter to Crandell saying we consider it taken
5 care of, but we can't close it out because they are still not in compliance with the rubbish; Weidner
6 agreed, saying the information needs to be provided by the Attorney to the judge by the end of this
7 month. He commented on how much Staff time has been spent on this issue. Gambino said the Crandells
8 are responsible for cleaning up the mess because they are the property owners, and the City can't make a
9 complaint in court about Martin messing up someone else's property. He thought the City was being
10 played – the property was never completely cleaned up and it's starting to grow again. Weidner clarified
11 that Martin has permit violations inside the Burlwood building, and the rubbish on Crandell's property is
12 still in violation of Ord. #164 and has resulted in a nuisance complaint being filed by the City Attorney.
13 (Copy of Blake's memo dated 6/1/17 attached to original of these minutes.)

14
15 Motion 10: Gambino moved that we draft a letter to the Crandell's attorney saying we cannot at this
16 time dismiss the nuisance case as being complete because of non-compliance. Grant seconded the
17 motion.

18
19 Discussion: Grant wanted to have the City Attorney draft the letter; Weidner said he felt that was
20 Blake's intention, and clarified that Blake will be told the residential complaint case is resolved but the
21 nuisance complaint should move forward with enforcement of Ord. #164.

22
23 Amendment: Gambino amended his motion to reflect Weidner's clarification. Grant seconded the
24 amendment.

25
26 Vote: Motion 10, as amended, passed.

27 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

28 29 IX. NEW BUSINESS

30 A. City Recorder Recruitment

31 Motion 11: Grant moved to go forward on recruiting a new City Recorder. Gambino seconded the
32 motion.

33
34 Mayor Leff said it was moved and seconded and called for discussion. There was none.

35
36 Vote: Motion 11 passed.

37 Ayes: Bates, Callender, Gambino, Grant, Leff

38 Abstain: Wiseman

39 40 B. August 21 Solar Eclipse Event

41 ▪ City Parks

42 Jim Hayes, 30 SW Heiberg, Parks Commissioner, reviewed a list of Parks Commission
43 recommendations for the solar eclipse event (copy attached to original of these minutes). The
44 recommendations presented for Council approval are intended to control what goes on in the parks and
45 scenic view areas during the eclipse event. There was lengthy discussion. A Councilor wanted
46 community input before authorizing overnight camping in City parks; it was the consensus of the
47 Council to reschedule the July 4 Council meeting to July 5 and hold a public hearing with the City
48 Attorney in attendance at that meeting to discuss the Parks Commission's desires. Mr. Hayes was asked
49 by the Mayor to help get the public hearing notice ready.

1
2 Motion 12: Callender moved that we move the next Council meeting to July 5, 2017, for the purpose of
3 holding a public hearing to determine the public’s attitude about camping in the park during the eclipse.
4 Mayor Leff clarified the meeting will be a regular meeting with a public hearing. Grant seconded the
5 motion.

6
7 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion.

8
9 Vote: Motion 12 passed.
10 Ayes: Bates, Callender, Grant, Leff, Wiseman
11 Noes: Gambino

12
13 Grant clarified that the City Attorney is also to be invited to the public hearing; Mayor Leff will call the
14 City Attorney tomorrow.

15
16 ▪ Volunteer Accident Insurance Policy

17 Mayor Leff said the total premium for covering volunteers during the eclipse event is \$873, and there is
18 money in the eclipse budget to cover the expense. (Copy of quote attached to original of these minutes.)

19
20 Motion 13: Gambino moved to approve the expense of \$873 as the premium on a policy for insuring
21 against accidents for our volunteers for the eclipse. Wiseman seconded the motion.

22
23 Mayor Leff said it was moved and seconded, and called for discussion. Gambino said he was pretty sure
24 the Coinsurance listed should say “100% of **Charges Above** Usual and Customary Charges”. Mayor
25 Leff will check with the insurance company on Gambino’s concern. There was brief discussion about
26 what the policy would cover.

27
28 Vote: Motion passed.
29 Ayes: Bates, Callender, Gambino, Leff, Wiseman
30 Noes: Grant

31
32 C. Proposed Res. #457 – A Resolution Declaring the City’s Election to Receive State Revenues
33 See Agenda Item V.A.

34
35 D. Proposed res. #458 – A Resolution Adopting the Budget; Making Appropriations; Imposing and
36 Categorizing the Tax for the 2017-18 Fiscal Year
37 See Agenda Item V.A.

38
39 E. Proposed Res. #459 – A Resolution Extending Worker’s Compensation Coverage to Volunteers
40 of the City of Depoe Bay for Coverage Year 2017-18; Revising and Replacing Res. #447
41 See Agenda Item V.A.

42
43 F. Oregon State Legislature Joint Committee on Transportation Preservation & Modernization –
44 Newberg-Dundee Bypass Support Letter

45 Motion 14: Gambino moved that we draft a letter to the Joint Commission on Transportation
46 Preservation & Modernization in the same flavor as the one sent to us as a draft (copy attached to
47 original of these minutes), to support the continuing work and completion of the Newberg-Dundee
48 bypass. Wiseman seconded the motion.

49

1 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion.

2

3 Vote: Motion 14 passed.

4 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

5

6 G. Estimates

7 ▪ Western States Electrical Construction, Inc.

8 Weidner requested Council authorization to accept the quote of \$5,500 (copy attached to original of
9 these minutes) for engineering prep work for the sludge press. He said there is money in the current
10 fiscal year Budget to cover the expense.

11

12 Motion 15: Gambino moved that we approve \$5,500 to be awarded to Western States Electrical
13 Construction for the above-mentioned project. Grant seconded the motion.

14

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

16

17 Vote: Motion 15 passed.

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

19

20 ▪ Day Wireless Systems

21 Weidner said this is part of the emergency grant funding the City received from the County, and the
22 radios will initially be used during the eclipse, and will then become a permanent part of the emergency
23 trailer.

24

25 Motion 16: Wiseman moved that we accept the bid from Day Wireless Systems for the radios. Gambino
26 seconded the motion.

27

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

29

30 Vote: Motion 16 passed.

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

32

33 ▪ Basco

34 Weidner said there is money in the current Budget for two new ovens for the Community Hall. There
35 was brief discussion about how the existing oven became damaged and lack of replacement parts for the
36 existing oven.

37

38 Motion 17: Gambino moved that we approve \$6,600 to purchase the two said Kitchen Aid stoves from
39 Basco for the Community Hall. Wiseman seconded the motion.

40

41 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion.

42

43 Vote: Motion 17 passed.

44 Ayes: Bates, Callender, Gambino, Grant, Leff, Wiseman

45

46 X. CORRESPONDENCE

47 There was no correspondence.

48

49 XI. CITY STAFF REPORT

1 Weidner reported 1) Coast Avenue has been paved. There are a few issues before the punch list will be
2 finished. 2) There is storm water backing up by the Tide Pool Pub. It is suspected to be caused by a
3 blocked storm drain line underground. 3) Crew will be installing sod in the Jenkins' yard tomorrow.
4 4) Western States will only charge \$150 for an extended warranty on the new security cameras. The
5 Council Chambers will receive the first installed camera. 5) He is trying to get someone on board to cut
6 grass.

7
8 LuMaye asked for direction regarding how the Council wants to move forward with the search for a new
9 City Recorder; she will work directly with the Mayor.

10

11 XII. COUNCIL COMMENTS

12 Callender: Brought attention to an email from the Allyn's requesting a response on their offer to sell their
13 parking lots to the City. There was brief discussion. This item will appear on the Agenda for the second
14 meeting in July.

15

16 XIII. ADJOURN

17 There being no further business, the meeting was adjourned at 9:03 PM.

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Barbara Leff, Mayor

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29 Emma LuMaye, Recording Secretary