

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, July 18, 2017 - 7:00 PM  
4 Depoe Bay City Hall

5  
6

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

8

9 Absent: R. Gambino

10

11 STAFF: City Superintendent B. Weidner, Recording Secretary E. LuMaye, City Planner L. Lewis,  
12 City Attorney C. Blake

13

14

15 I. PLEDGE OF ALLEGIANCE

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

17

18 II. CALL TO ORDER

19 Mayor Leff called the meeting to order at 7:00 PM and established a quorum. She said President  
20 Gambino sent his regrets, as he is under the weather, but he had advised her he had reviewed the  
21 Accounts Payable and they looked fine, and had asked for a motion to approve.

22

23 Motion 1: Goddard so moved. Bates seconded the motion.

24

25 Mayor Leff said it was moved and seconded, and called for discussion. There was none. She called for  
26 the question. LuMaye asked if the minutes should be approved first.

27

28 III. APPROVE MINUTES: July 5, 2017 Regular Meeting

29 Mayor Leff asked for a motion to approve the minutes.

30

31 Motion 2: Wiseman so moved. Bates seconded the motion.

32

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

34

35 Vote: Motion 2 passed.

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

37

38 IV. ACCOUNTS PAYABLE

39 Mayor Leff called for the question on the Accounts Payable motion.

40

41 Vote: Motion 1 passed.

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

43

44 V. SPECIAL ORDERS

45 There were no Special Orders.

46

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

48 A. Outdoor Warning and Public Alert System Protocol Committee

1 Weidner reported that volunteers will be meeting tomorrow at 10:00 AM, and there will be an audible  
2 test of the system on Thursday. He said City Hall received a lot of phone calls the last time the system  
3 was audibly tested. O'Brien was asked for a report. He said flyers had been passed out to nearly every  
4 business. Testing of the siren and voice will run from 10:00 AM to 2:00 PM. When the testing is over,  
5 an announcement should be made that the test has been concluded. (Copy of flyer attached to original of  
6 these minutes.)

7  
8 Jim Hayes, Depoe Bay resident, provided an update from the Eclipse Committee for Jaci McKim, who  
9 was unable to be present. Hayes said the handout maps need some finalization, the pamphlet is on track,  
10 and they are continuing to recruit volunteers.

## 11 12 VII. PUBLIC COMMENTS

13 There were no Public Comments.

## 14 15 VIII. UNFINISHED BUSINESS

16 A. State Marine Board (SMB) 2017-18 Maintenance Assistance Program (MAP) Grant  
17 Weidner reported he was looking into getting a full count on how much money we receive, and once he  
18 has that information he can figure out how much grant money we might get if we charged \$5 instead of  
19 \$2. He will report at the next meeting. Goddard reported he called Douglas Baer, Director of the MAP,  
20 and broached the subject that the launch fees haven't been adjusted in a long time. Baer told him they  
21 were adjusted in 2002; Weidner said it was a percentage adjustment over \$5 in the SMB's favor.  
22 Goddard said the SMB talked about raising the launch donation fees they allow to maintain parity with  
23 the economy, and got blowback from the County because the County doesn't charge for their launch  
24 services. There was discussion regarding creation of a mandatory launch fee. LuMaye noted that the  
25 SMB had wanted a signed agreement by July 1. Weidner will report at the August 1, 2017 meeting;  
26 launch fees will appear on a November Agenda..

27  
28 B. Request Authorization to Schedule Event in Whale Park – Treasure Depoe Bay 2017 Pirate  
29 Treasure Hunt, August 5, 2017  
30 Mayor Leff said Treasure Depoe Bay would like to use Whale Park from 9:00 AM to 3:00 PM on  
31 August 5. (Copy of application attached to original of these minutes.)

32  
33 Motion 3: Grant moved to grant the request. Callender seconded the motion.

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

36  
37 Vote: Motion 3 passed.

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

## 39 40 C. City Recorder Search

41 Mayor Leff said the search is moving forward. Resumes have been reviewed by most of the Council.  
42 She took a moment to express appreciation of LuMaye and her co-workers for their extra effort and time  
43 spent during this challenging time without a City Recorder. An Executive Session to discuss  
44 applications received was scheduled for Saturday, July 22, 2017 at 8:00 AM.

## 45 46 IX. NEW BUSINESS

### 47 Harbor Parking Lot Congestion

48 Mayor Leff read a letter from Greg Ostrum (copy attached to original of these minutes) into the record;  
49 the letter addressed parking issues in the east harbor parking lot, and requested the Council consider

1 directing Dockside employees to park elsewhere. Weidner said it's a public parking lot and we can't  
2 dictate to businesses where to have their employees park. There was further discussion, including  
3 whether or not there are deed restrictions in place. This item will appear on a November Agenda, and  
4 Mayor Leff said she would have a copy of the deed at that time.

5  
6 B. Relocate Fire Hydrant – 159 SW Nesting Glade  
7 Weidner reported a request to move a fire hydrant (copy attached to original of these minutes) that is  
8 next to their driveway in the road right-of-way. The people making the request bought the home a year  
9 or two ago; the fire hydrant has been there for many years. There was discussion.

10  
11 Motion 4: Wiseman moved to write a nice letter to the residents, and say sorry, not this time. There was  
12 discussion. Bates seconded the motion.

13  
14 Mayor Leff said it was moved and seconded, and called for discussion. Grant asked audience member  
15 Michelle Walters her opinion; she said it could be protected from being hit. There was further  
16 discussion.

17  
18 Amendment: Wiseman amended his motion to add a bollard.

19  
20 Mayor Leff said it was moved to send a polite letter of denial, and indicate we will put a bollard next to  
21 the hydrant. Grant confirmed that Bates accepted the amendment.

22  
23 Vote: Motion 5, as amended, passed.

24 Ayes: Bates, Callender, Goddard, Grant, Leff, Wiseman  
25

26 C. Nuisance Hearing – Anderson Property Tax Lot #1600, 09-11-08-AA  
27 Mayor Leff opened the public hearing regarding nuisance at 70 NE Ainslee Avenue, owned by Christian  
28 Anderson, and asked if there was anyone who wished to speak on behalf of the owner. There was no  
29 testimony. Weidner described the situation leading to the public hearing. Mayor Leff called for  
30 testimony from the audience. There was none. She closed the public hearing and opened Council  
31 deliberations.

32  
33 Motion 6: Wiseman moved that the property be found in violation of Depoe Bay Ordinance #164, and  
34 that the property must be brought into compliance by August 2, 2017. Goddard seconded the motion.

35  
36 Mayor Leff said it was moved and seconded, and called for discussion. There was lengthy discussion,  
37 which included Grant's concern that with the property being in foreclosure, any lien monies or violation  
38 fines might be lost during transfer of ownership, specifically because the fines are assessed to the  
39 property and the owner. Blake said he would review the Ordinance regarding Grant's concern, and  
40 contact the Mayor. Mayor Leff called for the question.

41  
42 Vote: Motion 6 passed.

43 Ayes: Bates, Callender, Goddard, Leff, Wiseman  
44 Noes: Grant  
45

46 X. CORRESPONDENCE

47 There was one item of Correspondence (copy attached to original of these minutes): A letter from Wave  
48 providing 30-day notice of their intent to raise the rates for their Expanded Content/Basic Cable by  
49 \$1.96 per month.

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

XI. CITY STAFF REPORT

LuMaye had no report.

Weidner: 1) The Katy Roe memorial is done and was installed today across from the Wing Wa.  
2) The signs for Williams Avenue are in. Mayor Leff said the yield sign was installed and has a pole in front of it, and asked Weidner to check it out. 3) Mrs. Jenkins is happy with the work that has been done to restore her yard after the sewer spill, and is willing to sign off on it after it has rained. 4) Weidner is working on the animal statues we received from the aquarium, and will be asking the Parks Commission for recommendations on locations to place them. 5) Crew has been busy with the rock fish kayak event, and getting ready for the eclipse.

Blake said in response to Grant's concern: The nuance is when you decide how to go forward, the two options are to file the case in court and if you want to do fines (plus the abatement, plus the attorney fees), they are against the individual. If the City decides to clean it up themselves, estimates must be obtained and then a declaration an assessment by Resolution that includes the estimates and attorney fees, and that is entered into the docket of City liens and becomes a lien against the property. LuMaye said it was her understanding the City stopped filing liens a few years ago, and that history on that decision could be obtained from the billing clerk.

Motion 7: Grant moved that we file a lien on this particular property, for City services owed. Wiseman seconded the motion.

Mayor Leff said it was moved and seconded, and called for discussion. Callender said anytime people owe the City money, we need to be pursuing it.

Vote: Motion 7 passed.  
Ayes: Bates, Callender, Goddard, Grant, Leff, Wiseman

XII. COUNCIL COMMENTS

Callender said she went to the fin clipping for the first time. There were over 16,000 fish clipped.

Goddard said the fin clipping was done in darn good time, and there was a lot of help. He gave kudos to the Salmon Enhancement Commission.

XIII. ADJOURN

There being no further business, the meeting was adjourned at 8:19 PM.

---

Barbara Leff, Mayor

---

Emma LuMaye, Recording Secretary