

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, August 1, 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 Superintendent B. Weidner, Recording Secretary E. LuMaye

10

11

12 I. PLEDGE OF ALLEGIANCE

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

14

15 II. CALL TO ORDER

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

17

18 III. APPROVE MINUTES: July 18, 2017 Regular Meeting and July 22, 2017 Executive Session

19 Mayor Leff asked for a motion to approve the minutes of the July 18, 2017 Regular Meeting and July
20 22, 2017 Executive Session.

21

22 Motion 1: Wiseman so moved. Bates seconded the motion.

23

24 Mayor Leff said it was moved and seconded, and called for discussion. There was discussion regarding
25 changing the way minutes are written to not include residents' home addresses, and reflecting full names
26 and position names in the minutes. Additionally, persons providing public comments or testimony will
27 provide their name and address on a sign-in sheet vs stating their name verbally. Sign-in sheets will be
28 attached to original copies of the minutes from this date forward.

29

30 Vote: Motion 1 passed.

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

32

33 Abstain: Gambino

34

34 IV. ACCOUNTS PAYABLE

35 Motion 2: Gambino moved to approve Accounts Payable as presented. Goddard seconded the motion.

36

37 Vote: Motion 2 passed.

38 Ayes: Bates, Callender, Gambino (with an exception for his reimbursement), Goddard, Grant,

39

40 Leff, Wiseman

41

41 V. SPECIAL ORDERS

42

42 A. Tina French, North Lincoln Sanitary Service – 2017 Rate Review Report

43

43 Tina French reviewed North Lincoln Sanitary Service's (NLSS) Rate Review Report in depth (copy
44 attached to original of these minutes), noting NLSS is requesting a 4.97% rate increase. She noted there
45 have been issues with contamination in the glass recycling. Mayor Leff asked her to return in a month

1 and provide additional information regarding recycling center costs; Mrs. French said she would send
2 the requested information.

3

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

5 A. August 21 Solar Eclipse Planning Committee

6 Weidner reported the Committee is working on placement of portapottys and dumpsters, storage of
7 janitorial supplies and equipment, and in the final stages of planning the map. Mayor Leff added that
8 City Crew is using old signs to make new, temporary signs with eclipse information on them. She said
9 there will be one for tourists that shows the downtown area, and where the restaurants, portapottys, and
10 red balloons for lost kids areas are. She said volunteer training materials are being put together, and
11 everything is moving forward.

12

13 B. Planning Commission – Request Authorization to Initiate Text Amendment to Add Commercial 14 C-1 Design Guidelines to the Zoning Ordinance No. 24

15 Roy Hageman, President of the Planning Commission, referred to the draft guidelines distributed in
16 advance of the meeting (copy attached to original of these minutes), and said the Commission got a lot
17 of comments from the public at the Transportation System Plan public hearings regarding making the
18 City more pedestrian friendly, specifically the Hwy 101 business area, Collins Street, Coast Avenue,
19 Williams Avenue, and any new development, as well as design guidelines for the commercial area.
20 There was discussion. He asked the Council’s permission to move forward, noting there would be costs
21 involved including Staff time, mailings, and public hearings. He noted the Council would have an
22 opportunity, prior to a public hearing at the Council level, to review and vote on it.

23

24 Motion 3: Gambino moved that we direct the Planning Commission to proceed with the Commercial
25 Zone C-1 design guidelines updates. There was discussion. Goddard seconded the motion.

26

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

28

29 Vote: Motion 3 passed.

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

31 Noes: Grant

32

33 C. Traffic Safety Commission

34 John O’Brien presented Traffic Safety Commission (TSC) recommendations for permanent Coast
35 Avenue signage and temporary solar eclipse weekend signage (copy attached to original of these
36 minutes). There was lengthy discussion. (Copy of Mr. O’Brien’s comments attached to original of these
37 minutes.)

38

39 Motion 4: Gambino moved that we temporarily approve the TSC suggestion of two locations for three-
40 way-stops on Coast Avenue, and for signs at two locations north and south for caution/pedestrians. Mr.
41 O’Brien said the north and south signs were to be temporary. Motion died for lack of a second. There
42 was further discussion.

43

44 Motion 5: Grant moved that we place two signs with a directional arrow saying *to Hwy 101* westbound
45 on Collins Street at the intersection of Collins Street and Conway Avenue, and at the intersection of

1 Conway Avenue and Bay Street, but not *to Hwy 101 South*, and then figure out where the placement
2 would be, whether on a power pole or the stop sign. There was discussion.

3
4 Grant restated his motion at the Mayor's request: that we put the two temporary signs up, one at Collins
5 and Conway, and one at Conway and Bay Street, but eliminate the north or south. Goddard seconded the
6 motion.

7
8 Mayor Leff said it was moved and seconded, and called for further discussion. There was none.

9

10 Vote: Motion 5 passed.

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

12

13 Motion 6: Gambino moved to approve signs recommended by the TSC for sign placements on Coast
14 Avenue. Grant seconded the motion.

15

16 Discussion: There was brief discussion. Gambino withdrew his motion; Grant withdrew his second.

17 Mayor Leff suggested the TSC talk with residents who would be affected by the proposed stop signs.

18

19 VII. PUBLIC COMMENTS

20 There were no public comments.

21

22 VIII. UNFINISHED BUSINESS

23 A. Review City Employee Handbook

24 Mayor Leff said this item was on the Agenda for the Council to decide a deadline for Councilors to
25 make comments on the draft Employee Handbook. She said an employee group is also working on
26 comments to the draft handbook. Grant requested a hard copy of the draft handbook, which was emailed
27 to Councilors last week. Mayor Leff said both the CIS (City/County Insurance Services) Attorney and
28 the City Attorney have said the handbook update needs to be done promptly, and the CIS Attorney has
29 completed her review and made recommendations that appear in the draft handbook.

30

31 Motion 7: Goddard moved that the City Council address this issue two weeks hence. Gambino seconded
32 the motion.

33

34 Restate: Goddard restated his motion that the City Council be prepared to address this issue two weeks
35 hence.

36

37 Mayor Leff added that Councilors' comments can be turned over to the employee committee. Gambino
38 asked for clarification of the motion. Goddard said input from Council members for the committee
39 should be prepared and submitted within two weeks. Gambino said that was what he seconded.

40

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

42

43 Vote: Motion 7 passed.

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

45

1 Mayor Leff thanked employees who were present for supporting the work that is being done on the
2 handbook, and said she understood that there are specific concerns that will come up when the Council
3 reviews the final draft handbook with the Attorney.

4
5 B. City Recorder Recruitment

6 Motion 8: Gambino moved that we proceed forward with the recruitment of a City Recorder as we
7 outlined in a previous meeting. Goddard seconded the motion.

8
9 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion.

10
11 Vote: Motion 8 passed.

12 Ayes: Bates, Callender, Gambino, Goddard, Leff

13 Recused: Grant, Wiseman
14

15 C. State Marine Board 2017-18 Maintenance Assistance Program (MAP) Grant Agreement

16 Weidner said \$3,660 was collected from the donation box last year, and we get \$9,500 from MAP. He
17 said research would be done now the City has surveillance with signage, making the area more secure,
18 and there is more maintenance and cleaning being done, as well as the Coast Guard booth in place. He
19 expected to see an increase in launch fees up to \$6,000, and suggested accepting the MAP money.

20 LuMaye said a motion was necessary to accept the money while it is still available because the State
21 Marine Board wanted a signed agreement by June 30.

22
23 Motion 9: Grant moved to accept MAP money under their conditions. Wiseman seconded the motion.

24
25 Mayor Leff said it was moved and seconded, and called for discussion. There was brief discussion.

26
27 Vote: Motion 9 passed.

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

30 D. Salmon Enhancement Commission – Request Removal of Member

31 Mayor Leff said the Salmon Enhancement Commission has requested the removal of Eric Messersmith
32 because he has not participated at all since he was appointed to the Commission (copy of request
33 attached to original of these minutes).

34
35 Motion: Callender moved that we remove Eric Messersmith from the Salmon Enhancement Commission
36 as requested. Goddard seconded the motion.

37
38 Mayor Leff said it was moved and seconded, and called for discussion. It was noted that any
39 Commissioner can be removed by the Council if they fail to attend three consecutive meetings. Staff
40 was directed to send Mr. Messersmith a formal letter of removal.

41
42 Vote: Motion 10 passed.

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

45 IX. NEW BUSINESS
46

1 A. Depoe Bay Chamber of Commerce – Request Authorization to Schedule Salmon Bake Event in
2 City Park – September 14 through 18, 2017

3 Bill Johnson requested the use of City Park and the Community Hall from Thursday, September 14
4 through Monday, September 18 for the Salmon Bake. (Copy of application attached to original of these
5 minutes.)

6
7 Motion 11: Gambino moved that we approve the request of the Depoe Bay Chamber of Commerce for
8 use of City Park and City Park Gazebo and BBQ, and the Community Hall. Wiseman seconded the
9 motion.

10
11 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

12
13 Vote: Motion 11 passed.

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

15
16 B. Depoe Bay Chamber of Commerce – Annual Report and Request for Reimbursement FY
17 2016-17, Contract Renewal FY 2017-18

18 Bill Johnson reviewed the Chamber’s report on advertising expenditures, and requested reimbursement
19 for the 2016-17 fiscal year in accordance with the contract, and to continue the agreement for the current
20 fiscal year. (Copy of report attached to original of these minutes.)

21
22 Motion 12: Gambino moved to approve the funds of \$4,999 to the Depoe Bay Chamber of Commerce
23 for advertising expenses July 2016 through June 2017. Wiseman seconded the motion.

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

26
27 Vote: Motion 12 passed.

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

29
30 Motion 13: Grant moved to renew the Agreement through June 30, 2018. Gambino seconded the
31 motion.

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

34
35 Vote: Motion 13 passed.

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

37
38 Mayor Leff reported earlier this year the Council approved her request to work with the Mayors of
39 Waldport and Toledo on a three-city proposal to the County Commissioners for use of some of the funds
40 that formerly went to COCA (Central Oregon Coast Association). Meetings with each of the three
41 County Commissioners have been completed, and based on their input minor changes are being made to
42 the proposal. She said there is a lot of competition for the money, and we are only asking for \$90,000.
43 She thanked Mr. Johnson for his hard work. He said he received approval from PUD to put Salmon
44 Bake signs up on their utility poles.

45
46 C. City Hall Concrete Foundation

1 Weidner reviewed pictures he took of the foundation (copies attached to original of these minutes). He
2 was directed to get quotes on having the foundation replaced, for next year's budget.

3
4 X. CORRESPONDENCE

5 There was no correspondence.

6
7 XI. CITY STAFF REPORT

8 LuMaye said at the previous meeting Staff was directed to file a lien on a nuisance property, and a
9 question had been put to the City Attorney. She asked if the Council wanted to direct Staff to not file the
10 lien, based on the Attorney's response.

11
12 Motion 14: Grant moved to redirect Staff to not file a lien. Gambino seconded the motion.

13
14 Mayor Leff said it was moved and seconded, and called for discussion. There was none.

15
16 Vote: Motion 14 passed.

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

18
19 Weidner reported 1) Asphalt repairs are being made on North Point. 2) There was a problem with the
20 Rocky Creek dam today, and it needed to be dammed up where it goes under the highway. There was a
21 question of vandalism. 3) Little Whale Cove (LWC) had a lot of trees cut down when ODOT put the
22 culvert in last year. LWC has purchased a bunch of trees to replant the trees that were cut down because
23 ODOT won't, and LWC is asking the City to provide some raw water so they can water the new trees
24 during the dry months. Weidner said he would meter the water, because he keeps track of all water
25 usage. Mayor Leff asked the Council's permission to write a letter to ODOT, with a copy to the
26 Governor, saying what do you mean you won't clean up your mess, and why should private citizens
27 have to pay for trees ODOT cut down and left in a mess. Grant said he is crafting a letter for LWC about
28 this issue, and would share it with the Mayor.

29
30 Motion 15: Gambino moved that we provide usage of raw Rocky Creek water for LWC trees. Wiseman
31 seconded the motion.

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

34
35 Vote: Motion 15 passed.

36 Ayes: Bates, Callender, Gambino, Goddard, Grant (with a caveat that it could represent a
37 potential conflict of interest), Leff, Wiseman

38
39 Goddard asked about pursuing perfected water rights for Rocky Creek; Weidner said we have the rights
40 to 4.4 cubic feet per second until 2055. Mayor Leff asked for a motion to send a letter to ODOT.

41
42 Motion 16: Goddard so moved. Gambino seconded the motion.

43
44 Mayor Leff said it was moved and seconded that the Mayor write a letter to ODOT requesting they clean
45 up the mess. She called for discussion. There was none.

46

1 Vote: Motion 16 passed.
2 Ayes: Bates, Callender, Gambino, Goddard, Grant, Leff, Wiseman

3
4 Weidner continued his Staff Report:
5 4) A family is donating the Yokohama trail sign on North Point to the City.

6
7 XII. COUNCIL COMMENTS

8 Grant asked how many angels can dance on the head of a pin.

9
10 Callender commented that the City Hall parking lot was packed with boat trailers again over the
11 weekend and said we need to keep them out. Weidner said he's having signs made that boat trailers are
12 not allowed in the parking lot.

13
14 Goddard said Coho season is done for now, but the congestion will come back soon.

15
16 XIII. ADJOURN

17 There being no further business, the meeting was adjourned at 9:10 PM.

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24 _____
Barbara Leff, Mayor

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28
29 _____
30 Emma LuMaye, Recording Secretary