

Depoe Bay City Council Regular Meeting
Tuesday, January 23, 2024 – 6:00 PM
Depoe Bay City Hall

PRESENT: K. Short, J. King, R. Beasley, L. Bedingfield, V. Sovern, F. Recht, A. Watson
ABSENT: None.
STAFF: Public Works Director B. Weidner; City Recorder Kimberly Wollenburg, Admin
Assistant G. Burke
GUEST(S): Dennis White – Friends of Otter Rock

A. PLEDGE OF ALLIEGIENCE

B. CALL MEETING TO ORDER AND ESTABLISH A QUORUM

Mayor Short called the meeting to order and established a quorum at 6:00 PM.

C. CHANGES AND ADDITIONS TO THE AGENDA

None.

D. Consent Agenda

Councilor Recht asked why the City hasn't seen any revenue from the marijuana tax yet. City Recorder Wollenburg said it will be shown in the next report. There was a discussion about fuel sales and expenditures. Mayor Short asked if the City Recorder could do some research into it and report back at the next City Council meeting. Councilor King asked if there was anything to report on grant revenue. City Recorder Wollenburg said that the paperwork has been filed for several grants, but she hasn't heard back yet about whether the City will receive them.

Motion to approve the Consent Agenda made by Councilor King; seconded by Councilor Sovern

Vote: Motion Passed 7/0

Ayes: Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

E. Guest Presentations

1) Lincoln County Sheriff's Office Monthly Report (November - December) – Not available.

2) Friends of Otter Rock (<https://friendsofotterrock.org/>)

Dennis White and Marlene from Friends of Otter Rock provided a PowerPoint presentation with details about their organization's mission and efforts. The organization is interested in conservation and education. They are promoting their yearly internship program, which sees one or two local high schoolers acting as Tide Pool Ambassadors. The interns learn communication skills, leadership skills, and gain experience interacting with people of varied backgrounds. They thanked the City of Depoe Bay for their funding. They would like the City to consider donating funds to their organization on an ongoing basis.

E. Commission/Committee/Group Reports

Emergency Preparedness Committee - Councilor King said that the recent ice storm was a wakeup call for how unprepared many people are in the event of an emergency. A number of people came to the community center to get warm and eat food. Going forward, Councilor King said that the Committee will be asking Samantha Buckley, Lincoln County Emergency Manager, to come to Depoe Bay and give another presentation on emergency preparation. Two dates that are suggested for her visit are April 27th and May 4th. Ms. Buckley will let us know which date works well for her, and the Community Hall will be reserved for the presentation.

At the event, Councilor King said that she would like the Committee to introduce themselves to members of the public and inform them of the purpose and mission of the Emergency Preparedness Committee. She would also like to encourage the public to ask questions and make suggestions on how the City can improve its emergency response.

Councilor Bedingfield said that more work needs to be done on developing a protocol for when an emergency will be declared, and at what point during the emergency will an emergency cache container be opened and its supplies distributed to the public. Councilor Beasley said that he believes the City already has emergency protocols in place that are specifically outlined in the Emergency Operations Plan.

Councilor Bedingfield reminded Councilor Beasley that they are currently doing committee reports and that he does not sit on the Emergency Preparedness Committee. Councilor Beasley conceded that he doesn't sit on the Committee, but he wanted to make a comment all the same. Councilor Recht said that she'd like the City's website to be a more robust resource for information about preparing for emergencies. Councilor Beasley asked if Councilor Recht was on the Committee, and Councilor Recht answered no. Councilor Beasley thanked her.

Harbor Commission – Jack O'Brien noted that they didn't have a meeting in December and the next one is the end of January.

Planning Commission – None.

Parks Commission – None.

Salmon Enhancement Commission – None.

F. Public Comment

None.

G. Unfinished Business

1) Big Tire Park Right-of-Way Vacation (Discussion)

Mayor Short opened the floor for discussion. Councilor Beasley suggested that the sign that is currently there be removed. He also said that he believes the area is not only an attractive nuisance, but is a dangerous place. There was a discussion about what deterrents could be placed in the area to help alert

people of the danger. Caution tape and/or a fence and warning signs were suggested. Councilor Sovern asked if they were still pursuing the process of vacating the property; City Recorder Wollenburg said that it's up to the City Council to decide whether they want to pursue. Mayor Short asked what the neighboring property owners have said regarding the property; City Recorder Wollenburg said that she'd spoken to them, and they both report that they do not want to take on the liability of the property. Councilor Recht voiced concern over taking away access to a coastal shoreline area without replacing it with equal access to coastal shoreline elsewhere in the City. City Recorder Wollenburg said that right now the focus should be on putting up something to deter people from getting too close to the edge, perhaps a fence or at least some caution tape. There was a discussion about a scenic ledge or viewing platform. Council concurred with bringing forth a resolution to repeal the vacation and directed staff to put some kind of safety barrier at the location.

H. New Business

1) Declaring a State of Emergency

Mayor Short did a brief introduction to the resolution and the need for the City to declare an emergency even though the City didn't experience a lot of damage as a result of the winter ice storm.

Motion to approve Resolution 555-24 declaring a state of emergency made by Councilor Recht; seconded by Councilor Watson

Councilor Beasley said that there is a section within the City's Emergency Operations Plan which outlines when the City should declare an emergency and that the best thing to do would be to follow what it says.

Vote: Motion Passed 7/0

Ayes: Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

2) First Reading Houseless Ordinance

Mayor Short provided a brief update regarding the draft ordinance, its impact, and the reason for having to provide the Ordinance and the time, manner, and place related to the houselessness.

Motion to read by title only Ordinance 343-24 amending Chapter 72 and adding Chapter 97 and declaring an emergency made by Councilor King; seconded by Councilor Sovern

Vote: Motion Passed 7/0

Ayes: Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

Councilor Recht said that she would like to know where the ordinance says that a person is able to camp within Depoe Bay because it doesn't specifically identify that. She was also unclear on time limits for camping within City limits. Different areas of the City where there might be room for camping were discussed—by the harbor launch area, in certain parking lots, at the City Park.

Councilor Bedingfield indicated that she is in support of identifying areas of public property that can be used for camping but thinks that identifying areas of private property for camping should be a separate discussion. She believes that allowing camping near the harbor is a bad idea. She believes that City Hall could accommodate one or two spaces for camping in its parking lot; however, Mayor Short voiced her opposition to the idea. Councilor Beasley said that he agrees with Councilor Bedingfield's assertion that more public property areas should be identified for camping use.

Councilor King said that she was concerned that people camping on City Hall grounds would lead to an increase of people entering the building, perhaps to use the toilets, and the office staff might be negatively affected. Councilor Bedingfield expressed concern over the proposal that the City's only park be used for camping by people experiencing homelessness because she feels that it poses a danger for children who want to use the park.

Mayor Short said that all campers will need to vacate the approved area by 7:00 AM. Councilor Bedingfield asked what the difference is, in that case, between allowing camping at the park and allowing it at the City Hall parking lot. Councilor Beasley and Councilor Recht expressed concern over how the City will be able to keep encampment areas clean and free of debris and/or garbage, regardless of where it is.

3) Fireworks Banning Ordinance Amendment (Discussion)

Councilor Recht said that she supports the amendment because it doesn't make sense to ban fireworks without also banning sales of fireworks in the City. Council concurred with staff moving forward to present the draft ordinance to ban fireworks as discussed at the next meeting.

4) Amendment to Construction Support Services – PND Engineering

Councilor Recht asked whether PND should have caught the error. City Recorder Wollenburg said that PND was hired to do the bidding for us and while it would have been helpful for the City to catch the error; staff relied on PND's expertise. Discussion followed regarding having a discussion with PND Engineering about the issue and the costs. City Recorder Wollenburg shared that we could certainly have a discussion but then the City may have to find another construction manager for the Harbor project.

Motion to approve Amendment 1 to the Construction Support Services Agreement with PND Engineering made by Councilor Beasley; seconded by Councilor Recht

Vote: Motion Passed 7/0

Ayes: Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

5) Reduced Government Rate

Jack O'Brien from the Harbor Commission addressed the City Council and there was a discussion about research vessels and charter vessels. It was suggested

that the wording be changed to reflect both government research and university research vessels.

Motion to approve Resolution 556-24 to provide a reduced government rate made by Councilor Beasley; seconded by Councilor Recht.

Vote: Motion Passed 7/0

Ayes: Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

6) Microplastics Solutions Research Project (Discussion)

There was a discussion about what microplastics are and what research is being done to identify how they affect our drinking water and sea life. Council supported and concurred with staff to proceed with supporting the project.

I. City Staff Reports

City Recorder Wollenburg spoke to the Council about the auditor receiving the termination letter but emailed to note that they had submitted a draft audit to their reviewer but then sent it to the City the next day. There was a discussion headed by City Recorder Wollenburg and Public Works Director Weidner about the City's response to the recent power outage. Public Works Director Weidner talked about how things went during the power outage. He noted that transfer switches and a backup generator are needed. He reported that his staff responded well during the event, and their hard work helped the City get back to normal after power was restored. City Recorder Wollenburg noted that a 100-gallon fuel tank that can fit into the bed of one of the Public Works trucks is needed.

Discussion followed regarding having a work session for watershed protection discussion and emergency preparedness. Councilor Recht provided some additional information regarding planning for watershed protection and the upcoming grant with an idea to provide direction on pursuing a planning grant.

J. CLOSING PUBLIC COMMENTS

K. COUNCIL COMMENTS

Bedingfield – thanked the Mayor, City Recorder Wollenburg, and Public Works Director Weidner for their leadership during the ice storm.

Short – said that her goal is to review the Emergency Operations Plan at the next City Council work session.

Sovern – None.

Beasley – he appreciated the comments about where the City is with emergency preparedness. He said he'd really dug in and met with two members to find out more about the Committee. He regretted that he was unable to attend the previous night's emergency preparedness meeting, but also noted that it didn't have the option to attend via Zoom. He would like to see that a Zoom option be made available for all future meetings. City Recorder Wollenburg noted that the

plan was to begin with the next meeting on Zoom. He said that he views the Committee through the lens of the City's Emergency Operations Plan which states that the City Council is responsible for emergency preparedness. He said that if the City doesn't want to use the Emergency Operations Plan, then the City Council should disavow from it to avoid liability. He feels that the answers to most of the questions posed by the Committee are answered in the Emergency Operations plan, but his feeling is that nobody is actually reading the Emergency Operations Plan. Mayor Short said she has it but hasn't reviewed it for a while, but there is needed a lot of planning around moving forward with how to implement emergency preparedness and the plan is to discuss this at the next meeting.

King – None.

Watson – would like to see the City put on a public safety campaign around the dangers of downed power lines.

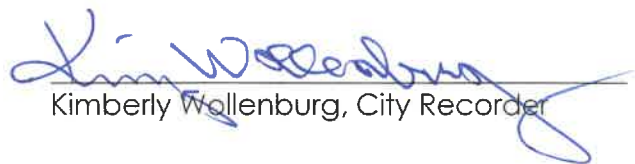
Recht – thanked Councilor King and Councilor Watson for cooking hot food during the power outage.

M. ADJOURNMENT. Meeting adjourned by Mayor Short at 7:57 PM.

Submitted by:


Gena Burke, Administrative Assistant

Reviewed by:


Kimberly Wallenburg, City Recorder