

MINUTES OF THE REEDSPORT CITY COUNCIL MARCH 4, 2024 AT 7:00 P.M.
CITY COUNCIL SESSION VIA ZOOM & IN PERSON

PRESENT:

Mayor Linda McCollum
Councilors Chuck Miller, Allen Teitzel, Debby Turner, Rich Patten, Cindy Wegner, (Councilor Rob Wright was absent)
Student Councilor Hayden Adams
City Manager Deanna Schafer
City Attorney Melissa Cribbins

OTHERS PRESENT:

Dep. City Recorder Christina Crockett, Public Works Director Kimberly Clardy, Finance Director Michelle Fraley, Police Chief John Carter, Fire Chief Tom Anderson, City Planner Hailey Sheldon, Carrie Oldright, Wayne Ellsworth, Rick Stillwagon, Kell Smith, Drew Betts

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor McCollum called the meeting to order at 7:03 P.M.

2. CITIZEN COMMENTS

This time is reserved for citizens to comment on items that are not on the Agenda. Maximum of five minutes per item, please.

Carrie Oldright, as a parent and not a school board member, said that she felt, and has reason to believe her views are shared, that the dismissal of the School Resource Officer was a failure.

PRESENTATIONS, PROCLAMATIONS, AWARDS

Women's History Month Proclamation.

Mayor McCollum read a Proclamation honoring the contributions of women to history and recognizing March as Women's History Month.

American Red Cross Month Proclamation.

Mayor McCollum read a Proclamation recognizing the humanitarian spirit of American Red Cross volunteers and acknowledging March as American Red Cross Month.

3. APPROVAL OF THE AMNDED AGENDA

Two items were removed from the agenda:

GENERAL BUSINESS:

~~A. Receive 2023/2024 Fiscal Year Audit Report.~~

OPEN SESSION:

~~A. Shall the City Council approve a contract for City Manager?~~

Councilor Allen Teitzel motioned to approve the amended agenda.

Councilor Miller seconded the motion.

MOTION:

that the City Council approve the amended agenda.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

4. CONSENT AGENDA

Routine items of business that require a vote but are not expected to require discussion by the Council are placed on the Consent Agenda and voted upon as one item. In the event that a Councilor or citizen requests that an item be discussed, it will be removed from the Consent Agenda and placed under General Business.

- A. Approve minutes of the regular session of February 5, 2024.
- B. Shall the City Council approve a new liquor license to Eclectic Spirits LLC, Stillwagon Distillery, LLC located at 458 Fir Street?

City Manager Deanna Schafer stated that per Reedsport Municipal Code 7.28 Liquor Licensing, the City Recorder shall cause any new liquor license application to be placed in front of the City Council for recommendation to the Oregon Liquor Control Commission (OLCC). The City has no authority to approve or deny applications but can make recommendations.

The City has received an application for a liquor license at 458 Fir Street from Stillwagon Distillery, LLC located at 458 Fir Street.

There is no fiscal impact of issuing a license to sell alcohol at this location beyond the normal application and renewal fees.

1. ***Approve a new liquor license to Eclectic Spirits LLC, Stillwagon Distillery, LLC located at 458 Fir Street.**

- C. Shall the City Council adopt an Ordinance 2024-1209 to amend the Reedsport Municipal Code Chapter 5 Traffic Regulations section 5.20.120 "Limited Parking Zones" and assign 2024-1209 as the title?

City Manager Deanna Schafer stated that on January 1, 2024, the City of Reedsport entered into a lease agreement making a total of ten parking spaces located on the corner of Greenwood Avenue and North Fourth Street available for public parking.

The new ordinance adds section G which will read as: *"G. Public Parking Lot – Parking lot on the corner of Greenwood Avenue and North Fourth Street - Two Hour Parking Limit between the hours of 7 a.m. to 7 p.m."*

There is no fiscal impact.

1. ***Adopt an Ordinance revising Reedsport Municipal Code Chapter 5.20.120; and assign Ordinance number 2024-1209 as the title.**

- D. Shall the City Council authorize the purchase of two city vehicles for the Public Works Department?

Public Works Director Kim Clardy stated that the sewer department currently utilizes three vehicles: a 2000 Chevy s-10, a 2005 Ford F250, and a 2019 Dodge. They are having serious issues with the Chevy and the Ford and need to get at least one of them replaced. The 2005 Ford F250 has a knock in the motor, electrical issues, and many cosmetic issues, it currently only has 90,510 miles but has many stops and starts on the motor. The 2000 Chevy has some coolant leaks, electrical issues, rotting of the floorboards, and other cosmetic issues, also, but the staff feels the Ford can be used for a couple more years since it will mostly be used for checking pump stations only.

The Maintenance department is currently using a 2007 Ford F150, a 2003 Chevy, and a 1995 Ford for their daily trucks. The 1995 Ford truck has over 107,000 miles on it and was used as a backup truck for city shops before we hired another maintenance worker, so currently city shops do not have a backup truck should one be needed. This truck also is used for spraying and has a lift gate. City Staff would like to purchase the Maintenance lead for a newer truck and move the 1995 Ford as the backup at city shops.

At this current time city staff has been working with a commercial dealer out of Portland to replace these two trucks and we have found two trucks one is a 2019 Ford F250 4x4 extra cab for \$33,229, and a 2020 Ford F250 2x4 extended cab for \$27,169. City staff is requesting council approval to purchase these two trucks in the total amount of \$60,398.

The purchase of one of the trucks will be from the Wastewater fund (004) and the other truck will be split equally between Streets (002), Water (003), and Wastewater (004).

1. * Approve the purchase of two city vehicles for the Public Works Department.

E. Motion to approve the Consent Agenda.

Councilor Turner motioned to approve the Consent Agenda.

Councilor Miller seconded the motion.

MOTION:

that the City Council approve the amended Consent Agenda.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

6. GENERAL BUSINESS:

~~A. Receive 2023/2024 Fiscal Year Audit Report.~~

B. Shall the City Council enter into a contract for City Attorney Services?

City Manager Deanna Schafer stated that a committee of councilors including Councilor President Chuck Miller, Councilor Allen Teitzel, and Councilor Debby Turner scored each proposal on Friday, February 16th.

Based on the scoring of the proposals it was decided that personal interviews were not warranted. The firm selected with the highest scores, Melissa Cribbins Law, is the firm that has been representing the City as interim City Attorney for several months and has done an outstanding job in filling that vacancy.

The position is budgeted in the proposed 2023-2024 budget.

Councilor Teitzel motioned that the City Council enter into a contract for City Attorney Services with Melissa Cribbins Law.

Councilor Patten seconded the motion.

MOTION:

that the City Council enter into a contract for City Attorney Services with Melissa Cribbins Law.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion.)

- C. Shall the City Council adopt Resolution 2024-002 authorizing a supplemental budget and budget revisions to the 2023-24 FY budget?

Finance Director Michelle Fraley stated that a resolution has been drafted which provides for unforeseen changes in the form of a supplemental budget and budget revisions to the 2023-24 fiscal year budget.

According to ORS 294.471 a local government may prepare a supplemental budget if a condition that was not known at the time of the budget requires a change in financial planning. The following information is provided regarding the recommended adjustments. These adjustments were not known at the time of adopting the FY 2023-24 budget.

None of the recommended adjustments increase the property tax levy.

Budget Change for Fund 003 Water Utility Fund

Revenue

Miscellaneous \$47,000

Materials and Services

Clear Lake Watershed Expenses \$47,000

The City has applied for and received a grant for Forest Management and Land Conservation Planning in Clear Lake Watershed Drinking Water Source Protection Fund.

Budget Change for Fund 038 Cert Fund

Revenue

Grants \$11,713

Materials and Services

Emergency Management \$11,713

The City has applied for and received a grant from the Oregon Department of Emergency Management Homeland Security Program for the purchase of emergency management equipment.

The total budget will be increased by \$58,713.

Councilor Miller motioned that the City Council adopt Resolution 2024-002 authorizing a

supplemental budget and budget revisions to the 2023-24 FY budget.

Councilor Teitzel seconded the motion.

MOTION:

that the City Council adopt Resolution 2024-002 authorizing a supplemental budget and budget revisions to the 2023-24 FY budget.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

- D. Shall the City Council amend the Intergovernmental Agreement with Douglas County for the hiring of The Dyer Partnership Engineers & Planners to perform the preliminary engineering of the Winchester Bay Water Line Project?

Public Works Director Kim Clardy stated that on January 9, 2023, the Council approved entering into an Intergovernmental Agreement with Douglas County to hire Dyer Partnership to perform the engineering of the Winchester Bay Water Line Project. The project has been awarded and came in under budget and Douglas County would like to extend the project to run along Lighthouse Road.

This amendment would be to install approximately 1960 lineal feet of new 12" water line along Lighthouse Road. The existing 6" AC water line is inadequate to provide fire flow for the anticipated growth and development in the area. The AC line is nearing the end of its intended life and has been a maintenance issue for City staff.

There is no cost associated with the approval of the amended Intergovernmental Agreement. Any future expenditures associated with the Winchester Bay Water Line Project would need Council review and approval before taking action.

Councilor Miller motioned that the City Council amend the Intergovernmental Agreement with Douglas County for the hiring of The Dyer Partnership Engineers & Planners to perform the preliminary engineering of the Winchester Bay Water Line Project.

Councilor Teitzel seconded the motion.

MOTION:

that the City Council amend the Intergovernmental Agreement with Douglas County for the hiring of The Dyer Partnership Engineers & Planners to perform the preliminary engineering of the Winchester Bay Water Line Project.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

- E. Shall the City Council approve amendment # 1 to task order # 22 and issue a notice to proceed to The Dyer Partnership Engineers & Planners for the engineering of construction documents, and procurement for the Winchester Bay Water Line Project?

Public Works Director Kim Clardy stated that on February 6, 2023, the Council approved task order #22 for \$262,700 and issued a notice to proceed to Dyer Partnership for the Winchester Bay Water Line Project. The project has been awarded and came in under budget and Douglas County would like to extend the project to run along Lighthouse Road.

Dyer Partnership has issued an amendment to the task order for \$110,800 to bring the total of the task order to \$373,500.

There is no cost associated with the approval of the amended task order. The City of Reedsport will act as a pass-through for payment to the Dyer Partnership, with Douglas County reimbursing the City.

Councilor Teitzel motioned that the City Council approve amendment # 1 to task order # 22 and issue a notice to proceed to The Dyer Partnership Engineers & Planners for the engineering of construction documents, and procurement for the Winchester Bay Water Line Project.

Councilor Patten seconded the motion.

MOTION:

that the City Council approve amendment # 1 to task order # 22 and issue a notice to proceed to The Dyer Partnership Engineers & Planners for the engineering of construction documents, and procurement for the Winchester Bay Water Line Project.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

F. Shall the City Council adopt Ordinance 2024-1210, to amend Reedsport Municipal Code Chapter 10.76 Special Provisions and Regulations § 10.76.170 Vacation Rentals?

City Planner Hailey Sheldon stated that on January 8, 2024, the City of Reedsport passed Ordinance 2024-1208, amending the definition of and standards for vacation rentals (Planning File 2023-023).

That Ordinance established this standard: “Prior to issuance of a Business License for a vacation rental, the unit shall pass inspection by the Building Official for compliance with Oregon Building Codes for a dwelling unit.” (10.76.170.A.c.)

The standard was adopted because:

- Between 2020 and 2023, the City carried out an in-depth analysis of (a) Reedsport vacation rental policies and prevalence, (b) regional vacation rental policies and prevalence, (c) Reedsport’s economic opportunities, housing needs, and buildable land – in order to inform subsequent vacation rental policy changes, which were then passed via Ordinance 2024-1208 in January of 2024.
- Ordinance 2024-1208 established the subject inspection standard.
- The inspection standard was devised in an August 15, 2023 Joint Work Session; the City Council and Planning Commission found an inspection by the Reedsport Volunteer Fire Department for Oregon Fire Code compliance may be warranted prior to the City approving a vacation rental.
- City staff then consulted with the Building Official, Dave Mortier, NW Code Pros, regarding inspections. NW Code Pros stated they could inspect dwellings in Reedsport for compliance with Oregon Building Code, for a dwelling unit; that they’d performed this service for other cities. The specifics of what exactly NW Code Pros would inspect for was not yet specifically discussed.
- Staff then recommended to the Planning Commission and City Council: if units are being inspected, they should be inspected by the Building Official (NW Code Pros), who is responsible for issuing all building permits and carrying out all related inspections in Reedsport – not the Volunteer Fire Department.
- After Council passed Ordinance 2024-1208, NW Code Pros did additional research and determined they can no longer inspect vacation rentals.
- NW Code Pros provided the information contained in Exhibit 2, including:
 - o “Post occupancy lease or rental arrangements, short term rentals, vacation rentals and similar uses” are outside the statutory authority of Oregon Residential Specialty Code. (Where “post occupancy” means a dwelling already certified for occupancy aka an existing dwelling unit.)
 - o No Building Department funds may be used for items outside the scope of the state building code.
 - o Past building codes did not address vacation rentals; but that the new 2023 residential building code clarifies building code officials and the state building code has no statutory authority over vacation or short-term rentals.

Staff recommends the City continue its current practice of not inspecting vacation rentals. Because:

- For the City to establish an inspection program (separate from the building Department), this City must first establish a unique set of standards to apply to vacation rentals. For example: see Exhibit 3.
- But establishing such a program:
 - o Is not required of the City.
 - o Would require administration by either the Planning, Fire, and/or Police Department.
 - o Presents a new liability to the City, not previously undertaken.
- The City's remaining process and standards are sufficient. Those are:
 - o First, only permitted dwelling units may be used as vacation rentals. How does the City determine whether a dwelling unit is permitted? For existing dwellings, the City refers to its utility billing and building permit records. For new dwellings, the City requires a Certificate of Occupancy by the Building Official.
 - o Second, every vacation rental requires a Conditional Use Permit; these permits require (a) public notice to adjacent properties and (b) a public hearing.
 - o Third, every vacation rental requires a Vacation Rental Business License, which requires (a) annual renewal, (b) emergency contact information for the owner, a "Local Responsible Person."

A draft of the newly revised (following Ordinance 2024-1208) is enclosed as Exhibit 5.

In addition, City staff proposes an informational handout, containing information similar to that in Exhibit 3 of the Planning Commission Findings of Fact.

Note: Standard 10.76.170.A.c. went into effect on February 7, 2024 (30 days after the passage of Ordinance 2024-1208). It has not yet been administered.

There is an unknown fiscal impact.

Councilor Patten motioned that the City Council adopt Ordinance 2024-1210, to amend Reedsport Municipal Code Chapter 10.76 Special Provisions and Regulations § 10.76.170 Vacation Rentals.

Councilor Turner seconded the motion.

MOTION:

that the City Council adopt Ordinance 2024-1210, to amend Reedsport Municipal Code Chapter 10.76 Special Provisions and Regulations § 10.76.170 Vacation Rentals.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

G. Shall the City Council enter into an Intergovernmental Agreement in Support of a Community Development Block Grant Program?

City Manager Deanna Schafer stated that The City of North Bend was awarded a \$500,000 grant to assist Coos County residents struggling to pay their rent, mortgage, or utilities. The funds come from the Oregon Community Development Block Grant (CDBG) program, which the Business Oregon Infrastructure Finance Authority administers.

North Bend partnered with Coos County and chose to take a regional approach for the maximum of \$500,000 by soliciting Intergovernmental Agreements from each of the local governments in the county. Grant dollars will be available for mortgage, rent, and utility (gas and electricity, but exclude water and sewer) payments up to six months past due.

The grant dollars were being administered by Oregon Coast Community Action (ORCCA).

City Manager David Milliron contacted the City of Reedsport in February and stated that ORCCA was unable to distribute the entire amount funding in Coos County during the allocated grant timeline and indicated that if Reedsport was willing, they would initiate an extension and change of scope to include Reedsport and Douglas County as the recipients. Biz Oregon (the entity handling the grant) approved the extension until June 30, 2024 and expanded the recipient area to Reedsport and Douglas County if approved. The balance left on the grant program is in the neighborhood of \$200,000.

Those eligible to receive the emergency rental, mortgage, and utility assistance must meet specific income and eligibility requirements, including:

A. Eligible Recipients

- Who can receive Emergency Rental, Mortgage, and Utility Assistance?
 - Applicant household must meet ALL of the following:
 - Household with a LMI income ($\leq 80\%$ area median income) based on applicable CDBG income limits
 - Household with a documented financial need due to the impact of COVID-19
 - Household residing in the program's service area and not in an entitlement community
 - Household is unable to access any other payment assistance covering the same time period costs (no duplication of benefit)

- CDBG-CV funds target those services addressing the impacts from the COVID-19 emergency, including emergency rental, mortgage, and utility payments; and have these federal restrictions:
 - Direct payments to a household(s) are NOT CDBG eligible. Payments are to be paid to a third party on behalf of the qualifying household.
 - Payments are for no more than six consecutive months within a 12 month period.
 - Payments are intended to prevent eviction, foreclosure, utility shut off.
 - Mortgage payments may include escrowed taxes, insurance and late fees.
 - Payments cannot be a duplication of benefit.
 - Payments with CDBG-CV funds must address impacts resulting from the COVID- 19 emergency.

The grant dollars would be administered by NeighborWorks Umpqua (NWU) whom the City has worked with in the past on several projects but most recently to administer loan and grant programs that assist eligible, low- to moderate-income homeowners with repairs to their homes.

Councilor Wegner motioned that the City Council enter into an Intergovernmental Agreement in Support of a Community Development Block Grant Program.

Councilor Teitzel seconded the motion.

MOTION:

that the City Council enter into an Intergovernmental Agreement in Support of a Community Development Block Grant Program.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

- H. Shall the City Council adopt a Resolution 2024-003 for Reedsport Volunteer Fire Department accident cost recovery?

City Manager Deanna Schafer stated that the Reedsport Volunteer Fire Department is pursuing the implementation of a cost recovery program for fire protection, accident scene response and traffic safety for emergency response incidents and all related services. EF Recovery is a service provider that can complete these tasks.

The Resolution is adopted for the purpose of establishing a method of recovering costs and expenses for certain services provided by the Fire District which result from the

utilization of Fire District resources in response to certain public safety, fire, or emergency incidents or conditions. This resolution is authorized by OR law, including, but not limited to ORS 478.310 and ORS 466.640. Also, it is intent of the Fire District to encourage mutual aid between fire/EMS departments during emergencies by adopting the charges that have been set by the municipality that is providing assistance for any situation covered by this Resolution. Depending on the circumstances, the Fire District finds that it may not always be cost-effective for the Fire District to pursue collection of unpaid charges.

There is no known fiscal impact.

Councilor Miller motioned that the City Council adopt a Resolution 2024-003 for Reedsport Volunteer Fire Department accident cost recovery.

Councilor Turner seconded the motion.

MOTION:

that the City Council adopt a Resolution 2024-003 for Reedsport Volunteer Fire Department accident cost recovery.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

- I. Shall the City Council submit a letter of commitment for Oregon CPRG Implementation Grant Application?

City Manager Deanna Schafer stated that recently our Main Street Director, Rosa Solano was contacted by Amanda Ingmire of Oregon DEQ Built Environment Program and invited Reedsport to become a community partner on an EPA climate Pollution Reduction Grant application. Reedsport was chosen as one of only nine communities in the State of Oregon to partner in this opportunity. During an online meeting, it was explained that they are looking for communities that have the capacity and knowledge by track record of taking on a projects of large magnitude in a short amount of time. With our past record of receiving and administering federal and state grants plus recommendation from Oregon Main Street program for our handling of the Main Street Revitalization Grant program we were selected. The nine communities represent all different populations and demographic throughout Oregon, Reedsport being the only community on the West Coast. The goal is to take existing buildings and renovate or covert a mixed use of residential and commercial. An example of this is second story apartments or hotel conversion to residential. Between Rosa and myself we identified approximately 35 additional units that could be gained through this program.

To implement this strategy, DEQ would serve as a pass-through entity, distributing funds to local governments for implementation. The local governments would run a competitive grant process to distribute the funds to support conversion to new residential units in their communities. DEQ has established a per unit fixed incentive of up to \$45,000 per unit. In addition, DEQ anticipates up to 5 percent of grant funding may be utilized to support administration of the award by local governments.

Projects must meet the following requirements to be eligible for funding:

- Convert existing vacant or underutilized building(s) into new housing units. Projects may be whole buildings or portions of buildings
- At least 25 percent of new housing units must be < 80% AMI, all others must be < 120% AMI
- Maintain affordability of units for a minimum of 5 years

Councilor Teitzel motioned that the City Council submit a letter of commitment for Oregon CPRG Implementation Grant Application.

Councilor Turner seconded the motion.

MOTION:

that the City Council submit a letter of commitment for Oregon CPRG Implementation Grant Application.

VOTE:

AYES 6 NAYES 0

(Mayor McCollum, Councilors Miller, Teitzel, Turner, Patten, and Wegner voted in favor of the motion)

1. MISCELLANEOUS ITEMS
(Mayor, Councilors, City Manager, City Attorney)

1. City Manager Deanna Schafer stated that Main Street Coordinator Rosa Solano attended the Travel Southern Oregon Conference with a focus on promotion and will be attending the Governor's Conference later this month with a focus on tourism.
2. City Manager Deanna Schafer stated that she committed herself to continue on the Board of Director's CCD for one more year. They are a community partner whose agency is associated with the Small Business Administration. They help manage our enterprise zone and help us with Community CBDG type grants. They are currently administering our CDBG grant for Forrest Hills.
3. Fire Chief Tom Anderson stated that the fire department is doing well and have up to 33 volunteers with the department.
4. City Planner Hailey Sheldon announced the forthcoming plans that the city building department will be moving towards a new mandated software program named Accela that will provide E-Permitting.

5. Public Works Director Kim Clardy stated that there was a water break from a private system in Holly Knolls and explained how the City is not responsible for repairing private lines. She stated that the City supplied parts to help with repairs and that the City would be getting reimbursed for cost of material. She also stated that Mike Wooley (Water Lead Worker for the City) was on scene and helped guide the installation.
6. Finance Director Michelle Fraley stated that she is confident the city staff will support and sustain the transition to E-Permitting.
7. Michelle Fraley stated that an RFP for IT Work Services is out and the deadline to return those is Friday March, 8th and will be on the April agenda.
8. Chief Police John Carter stated that last month was seat belt enforcement and 17 stops were made, 12 warnings and 6 citations were given out. He stated that this month is speed enforcement.
9. Chief Police John Carter stated the school does have a new SRO, Jacob Molano.
9. City Attorney Melissa Cribbins stated that she has been tracking Recreational Immunity legislation presented at the legislative session. She stated there is about a week left and expects there to be a fix.

2. OPEN SESSION

~~A. Shall the City Council approve a contract for City Manager?~~

3. ADJOURN

Mayor McCollum adjourned the meeting at 8:09 P.M.

Linda McCollum, Mayor

ATTEST:

Deanna Schafer, City Manager