

MINUTES OF THE REEDSPORT CITY COUNCIL REGULAR SESSION MARCH 1, 2010 7:00 P.M. CITY HALL COUNCIL CHAMBERS.

PRESENT:

Mayor, Keith Tymchuk

Councilors Bill Otis, Diane Essig, Bill Walker, Mike Macho, Ginger Anderson and Tonya Wahl

City Manager, Scott Somers

City Attorney, Steve Miller

OTHERS PRESENT:

Vera Koch, Deanna Schafer, Diane Novak, John Smart, Floyd Dollar, Allen Teitzel, Linda Stevens, Susan Martin, Bill Marshal, Pam Gardner, Debbie McKinney, Harold Rose, Tom Anderson, Lori Newman, Chuck Hurlocker, Pat Fahey

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Keith Tymchuk called the meeting to order at 7:00pm.

2. PRESENTATIONS, PROCLAMATIONS, AWARDS, CITIZEN COMMENTS

Mr. Bill Marshall of Roseburg introduced himself as a candidate in the May election. He said that he has been traveling to all of the City Council meetings to introduce himself.

Mr. Dennis Swartz of 1921 Cedar spoke about an issue he had with the Municipal Court system. He didn't like how Judge Cable handled the situation.

City Manager Scott Somers said that the Judge reports directly to the City Council.

After some discussion, it was decided to allow Mr. Swartz to submit his information to the City Attorney Steve Miller.

Mayor Keith Tymchuk said that the Council can't promise remedy but he could share the information with Mr. Miller.

A. Pam Gardner, United States Forest Service.

Ms. Pam Gardner, Ranger for the Siuslaw National Forrest gave an update on the Dunes National Recreation Area. She reported that there were .5 million to .75 million visitors to the dunes this past year. She said that the Forrest Service goal in the next five years is to operate the coastal head quarters on land owned by the USFS. She also reported on the new Off Highway Vehicle (OHV) use maps that were due to be out for public use in January 2010. She said that the maps have turned into books/pamphlets and the first printing was not as good of quality as they expected. The books/pamphlets have been sent back to the printer and will be available by June. Some areas, such as the OHV trails South of Winchester Bay are not in the books/pamphlets because they are still determining the boundaries and effects on wildlife and plants of the trails. Some of the trails are a result of vegetation over growing the open areas and some are a result of OHV overuse.

Ms. Gardner also touched on the American Recovery and Reinvestment Act of 2009 which has provided approximately 9 million in funds to the Siuslaw National Forest for various projects.

B. Kennedy Jenks-Update on the Wastewater Treatment Plant Project.

Jack Detweiler of Kennedy Jenks presented the Council with an update on the Wastewater Treatment Plant Improvement Project, Arthur-Bowman Sewer Rehabilitation Project, and contract for engineering services.

Wastewater Treatment Project- Construction is proceeding according to schedule and budget. Start up is scheduled for April 2010. The Outfall construction will be postponed until November 2010 due to delays in permitting.

Arthur-Bowman Sewer Rehabilitation Project- Work should be completed by the middle of March. The contractor started construction behind schedule and it is likely that liquidated damages will be assessed to compensate the city for additional costs associated with delays.

Contract for Engineering Services- The budgets for engineering services during construction are approaching their limits. It is anticipated that approximately \$10,000 will be needed to complete the WWTP Project. It is also anticipated that an additional \$55,000 will be needed for onsite services through completion and startup of the treatment plant. This additional amount is due in part to a one-month longer construction period associated with time extensions included with change orders.

3. ADDITIONS/DELETIONS/MODIFICATIONSS/APPROVAL OF THE AGENDA

Councilor Ginger Anderson moved that the City Council approve the Agenda.

Councilor Tonya Wahl seconded the motion.

MOTION:

that the City Council approve the Agenda.

VOTE:

A vote was taken on the motion with the following results:

AYES 7 NAYES 0

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, Wahl and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

4. PUBLIC HEARING

5. 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 Calendar 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 Calendar and placed under General Business.

A. Approve minutes of the work session of January 4, 2010.

B. Approve minutes of the work session of February 1, 2010.

C. Approve minutes of the regular session of February 1, 2010.

D. Motion to approve the Consent Calendar.

Councilor Diane Essig moved that the City Council approve the Consent Calendar.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council approve the Consent Calendar.

VOTE:

A vote was taken on the motion with the following results:

AYES 7 NAYES 0

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, Wahl and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

6. GENERAL BUSINESS

- A. Shall the City Council approve Change Order 9 Arthur/Bowman collections project?

Public Works Superintendant Floyd Dollar presented the following information: At the August 3, 2009 Council meeting a contract for the Arthur - Bowman sewer rehabilitation project was awarded to R&G Excavating for \$552,185.00. The Engineer's estimate for this project was \$987,000.00.

Part of the Sewer Collection work for the Arthur-Bowman area was the installation of a sewer manhole at Bowman Rd and Morris Place. This manhole was required to provide access for maintenance and inspection of the sewer line for Morris Place. This manhole should have been constructed when the sewer was constructed, but was not.

While the contractor was excavating for the manhole a 12 inch storm drain line was encountered and caused a conflict with the installation of the manhole. It was also discover that there was a conflict with a 6 inch sewer lateral for placement of the manhole.

The decision was made on site by the Public Works Superintendent to relocate the 6 inch sewer lateral and the storm drain line would have to be rerouted around the manhole being installed. The contractor charged time and materials for this work. The cost of this additional work is \$9,941.54. We have reviewed this cost with the project engineers Kennedy/Jenks Consultants. They recommend the approval of this change order.

Councilor Bill Walker moved that the City Council approve the change order of \$9,941.54.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council approve the change order of \$9,941.54.

VOTE:

A vote was taken on the motion with the following results:

AYES 7 NAYES 0

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, Wahl and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

- B. Shall the City Council approve Change Order 11 Arthur/Bowman collections project?

Public Works Superintendant Floyd Dollar continued:

As part of the Oregon Department of Environmental Quality review of the project, it states "Sewerage system integrity and water-tightness is the system owner's ultimate responsibility. He shall monitor all private sewer construction and control all common sewer construction in the sewerage system to the extent necessary to this end." Specific criteria for removal of infiltration and inflow (I&I) sources was a requirement of the project. I&I normally is a function of high groundwater within a community and appears at manholes and service laterals.

The contractor, R&G Excavating was required to inspect and test the existing manholes (within the area that was to have sewer liners installed). These tests failed, primarily due to loss of the seal at the top (rim) of the manhole. As a result of these tests the contractor has proposed to remove and replace 2 manholes (\$30,326), reconstruct and grout the top of 1 manhole (\$1,146) and clean and grout the remaining manholes (15 manholes performing work at cost for time and materials, estimated at \$30,000+).

The contractor, R&G Excavating was requested to provide a proposal to rehabilitate the service laterals (for each individual home) within the section that was lined, using alternate technologies. A proposal was received to grout the lateral connections for \$440 each and for removal and replacement at a cost of \$740 each. There are 37 lateral connections in question, with 2 laterals to be removed and replaced and 35 grouted. The estimated cost for this work would be approximately \$21,000. This cost matches closely with the alternate bid item (\$18,500).

R & G Excavating also proposes to complete the rehabilitation of the 15 manholes for and additional \$6,000.

Councilor Bill Walker moved that the City Council approve the change order for rehabilitation of service laterals connections for \$21,000 plus a 10% contingency for unknown factors and to approve rehabilitation of the 15 manholes for and additional \$6,000.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council approve the change order for rehabilitation of service laterals connections for \$21,000 plus a 10% contingency for unknown factors and to approve rehabilitation of the 15 manholes for and additional \$6,000.

VOTE:

A vote was taken on the motion with the following results:

AYES 7 NAYES 0

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, Wahl and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

- C. Shall the Council approve a resolution adopting an addendum to the Douglas County multi-jurisdictional Natural Hazards Mitigation Plan and assign 2010-006 as the title, declaring an emergency?

City Manager Scott Somers said that in the fall of 2007, the Oregon Partnership for Disaster Resilience (The Partnership/OPDR) at the University of Oregon's Community Service Center partnered with Oregon Emergency Management (OEM) and Resource Assistance for Rural Environments (RARE) to develop a Pre-Disaster Mitigation planning grant proposal to create and/or update natural hazard mitigation plans for Oregon's southern coastal cities, which includes the City of Reedsport. RARE provided a staff person, Megan Findley, to facilitate and document the City's planning processes. To develop the required addendum, Megan facilitated the planning process with a local steering committee, which included the Public Works Administrator, the City Manager, the Police and Fire Chiefs and representatives from Douglas County Emergency Management.

The steering committee was involved in developing the addendum by providing local hazard and vulnerability information. The planning process was developed by the Oregon Partnership for Disaster Resilience, and was designed to: (1) result in the creation and adoption of an addendum to the Douglas County Multi-Jurisdiction Hazard Mitigation Plan, which complies with the Disaster Mitigation Act of 2000 (DMA 2000); (2) coordinate with the state's plan and activities of the Partnership; and (3) build a network of local organizations that can play an active role in plan implementation. Please note that the DMA 2000 emphasizes the need for State, Tribal, and local entities to closely coordinate mitigation planning and implementation efforts and provides an opportunity for States, Tribes, and local governments to take a new and revitalized approach to mitigation planning.

In November 2009, the City's Addendum to the County's Multi-Jurisdiction Hazard Mitigation Plan was submitted to FEMA along with the County's portion of the plan. In December 2009, FEMA had completed their review. The County's plan had a few required revisions, but the City's had none, meaning the City's addendum met all requirements.

The next step for the City is to adopt the addendum via resolution. FEMA requires 'proof' of local adoption in order to formally approve a jurisdiction's plan. (Formal approval gives a jurisdiction access to apply for federal mitigation funding). However, because the City's plan is tied to the County's plan (i.e., because it is an addendum), the County's plan must meet requirements before the City's plan can be formally approved by FEMA. The City does not need to wait for the County in order to proceed with the local adoption process, however.

Throughout this process City staff has been cognizant of the importance of including references to, and highlighting the importance of, certification of the City's levee and dike system. Importance of certification has been emphasized in this document since the Army Corps of Engineers (ACOE) has indicated to staff that the ACOE may have funds available to assist the City with repairs to the culverts and tide gates within the levee system. The repairs are estimated to cost approximately \$300,000 and will likely need to occur before the levee system is certified.

Councilor Ginger Anderson moved that the City Council approve a resolution adopting an addendum to the Douglas County multi-jurisdictional Natural Hazards Mitigation Plan, declaring an emergency and assign 2010-006 as the title.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council approve a resolution adopting an addendum to the Douglas County multi-jurisdictional Natural Hazards Mitigation Plan, declaring an emergency and assign 2010-006 as the title.

VOTE:

A vote was taken on the motion with the following results:

AYES 7 NAYES 0

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, Wahl and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

- D. Shall the City Council adopt a resolution establishing new rates for the collection and disposition of solid waste in the City of Reedsport and assign 2010-007 as the title?

Southern Oregon Sanitation (SOS) holds the exclusive franchise for solid waste collection and disposal within the City of Reedsport. Ordinance 79-562 specifies the terms of the franchise and provides that rate amendments will be accomplished by Resolution. SOS has met with City Council in work session over the last couple of months and has requested an increase to the current rate structure.

Pat Fahey, owner of SOS, was in attendance to answer any questions. He said that these proposed rates include co-mingle recycling services when it becomes available.

The last rate increase was effective December 1, 2005 (under the previous ownership of Horning Brothers Sanitary, Inc.).

The proposed rate schedule proposes an increase of approximately 8% when amortized over the entire rate base. Two alternative rate structures have been proposed and the Council will need to choose one.

Resolution 2010-007 has been drafted providing for the requested rate increase.

Councilor Tonya Wahl clarified that if the Council wishes they can choose not to raise rates at all.

Councilor Mike Macho moved that the City Council choose the full allocation collection rate and adopt a Resolution providing for an increase in the solid waste collection and disposal rate, and that Resolution 2010-007 is assigned as the title.

Councilor Ginger Anderson seconded the motion.

MOTION:

that the City Council Choose the full allocation collection rate and adopt a Resolution providing for an increase in the solid waste collection and disposal rate, and that Resolution 2010-007 is assigned as the title.

VOTE:

A vote was taken on the motion with the following results:

AYES 6 NAYES 1

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, and Walker voted in favor of the motion.)(Councilor Wahl voted in opposition)

Mayor Tymchuk declared the motion passed.

E. Shall the City Council approve grant applications for improvements to the Library Building?

At the April 6, 2009 regular Council Meeting, the Council adopted Resolution 2009-005 which established procedures for the submission of capital improvements grants for the Reedsport Branch Library.

The Resolution states that all grants over \$10,000 needs Council approval prior to submission. Attached are two grants which have been reviewed by staff and now await Council approval.

- A grant requesting \$22,000 to be applied toward the installation of energy efficient windows is ready for submission to the Whipple Foundation Fund.
- A second grant request of \$49,000 is directed to the Collins Foundation Fund for use in the replacement of the Solarium, windows and exterior siding.

The City is fortunate to have such a great number of community volunteers willing to donate many hours required in the process of project coordination, fund raising, and grant writing on behalf of the Reedsport Library and City of Reedsport.

It is staff's recommendation that the Council authorize the Mayor to sign the grant applications and grant acceptance when the grants are awarded.

Councilor Bill Walker moved that the City Council authorize the Mayor to sign the grant application to the Whipple Foundation Fund in the amount of \$49,000.00 to repair the Reedsport Branch Library building and to accept the grant when it is awarded and authorize the Mayor to sign the grant application to the Collin Foundation Fund in the amount of \$22,000.00 to repair the Reedsport Branch Library building and to accept the grant when it is awarded.

Councilor Tonya Wahl seconded the motion.

MOTION:

that the City Council authorize the Mayor to sign the grant application to the Whipple Foundation Fund in the amount of \$49,000.00 to repair the Reedsport Branch Library building and to accept the grant when it is awarded and authorize the Mayor to sign the grant application to the Collin Foundation Fund in the amount of \$22,000.00 to repair the Reedsport Branch Library building and to accept the grant when it is awarded.

VOTE:

A vote was taken on the motion with the following results:

AYES 7 NAYES 0

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, Wahl and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

F. Shall the City Council adopt a resolution affirming the City of Reedsport's partnership with Ocean Power Technologies (OPT), including ongoing fund raising efforts such as grant and congressional appropriations requests, declaring an emergency and assign 2010-008 as the title?

On August 17, 2009, the City Council adopted a resolution partnering with Ocean Power Technologies (OPT) to submit a grant application for a funding opportunity through the Department of Energy. Unfortunately, the City and OPT were not awarded the grant. In

order for the wave energy project to move forward, Federal dollars from a different source must be sought.

City staff and OPT representatives met with Congressional representatives in Portland, Eugene, and Roseburg last week to discuss the City's ongoing support of economic development and job creation efforts through wave energy technology and deployment. The City intends to submit a Congressional Appropriation request.

If awarded, manufacturing and the eventual deployment of power buoys would continue, the City would be able to secure an energy consultant to assist with City with developing a community-wide energy plan, and the City would be in a better position to encourage area community colleges to develop curricula geared towards educating our citizens in the field of Renewable Energy Systems and Electronic Engineering Technology in order to service the wave energy buoys.

Councilor Ginger Anderson moved that the City Council adopt a Resolution affirming the City of Reedsport's partnership with Ocean Power Technologies (OPT), including ongoing fund raising efforts such as grant and appropriation requests, and declaring an emergency and assign 2010-008 as the title.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council adopt a Resolution affirming the City of Reedsport's partnership with Ocean Power Technologies (OPT), including ongoing fund raising efforts such as grant and appropriation requests, and declaring an emergency and assign 2010-008 as the title.

VOTE:

A vote was taken on the motion with the following results:

AYES 7 NAYES 0

(Mayor Tymchuk, Councilors Essig, Macho, Otis, Anderson, Wahl and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

7. MISCELLANEOUS ITEMS
(Mayor, Councilors, Student Councilors, City Manager, City Attorney)

ADJOURN

Mayor Keith Tymchuk

ATTEST:

Deanna Schafer, City Recorder