

MINUTES OF THE REEDSPORT CITY COUNCIL REGULAR SESSION APRIL 2, 2012
7:00 P.M. CITY HALL COUNCIL CHAMBERS.

PRESENT:

Mayor, Keith Tymchuk

Councilors Ginger Anderson, Diane Essig, Mike Macho, Bill Otis,
Kathi Wall-Meyer and Bill Walker

City Manager, Scott Somers

City Attorney, Steve Miller

OTHERS PRESENT:

Deanna Schafer, Vera Koch, Diane Novak, Melissa Anderson,
Floyd Dollar, Chief Mark Fandrey, Lee Bridge, Lorelyn Lorence,
Roberta Brazell, Greg Viert, Eric Samuelson, Sandra Bruce,
William Bruce, Dan Welch, Steve Cluck, Sheri Aasen, Zaury
Brouhand, Jerry Brouhand, DeeDee Murphey, Debbie McKinney

CALL TO ORDER/PLEDGE OF ALLEGIANCE

1. 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.*

2. PRESENTATIONS, PROCLAMATIONS, AWARDS

Mayor Keith Tymchuk read the following proclamations for April:

A. Arbor Day Proclamation

B. National Child Abuse Prevention Month

3. APPROVAL OF THE AGENDA

City Manager Scott Somers said that the executive session scheduled at the end of the meeting could be removed from the agenda.

Councilor Diane Essig motioned to approve the Agenda as amended.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council approve the Agenda as amended.

VOTE:

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

AYES 7 NAYES 0

(Mayor Keith Tymchuk, Councilors Anderson, Essig, Otis, Macho, Wall-Meyer and Walker voted in favor of the motion.)

Mayor Keith Tymchuk declared the motion passed unanimously.

4. PUBLIC HEARINGS

There were no public hearings.

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 23, 2012.
- B. Approve minutes of the work session of March 5, 2012.
- C. Approve minutes of the regular session of March 5, 2012.
- D. Motion to approve the Consent Calendar.

Councilor Bill Walker motioned to 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 Keith Tymchuk, Councilors Anderson, Essig, Otis, Macho, Wall-Meyer and Walker voted in favor of the motion.)

Mayor Keith Tymchuk declared the motion passed unanimously.

6. GENERAL BUSINESS

- A. Shall the City Council adopt a Resolution setting guidelines for disposing of surplus property with a minimal value and assign 2012-006 as the title?

City Manager Scott Somers said that in the past the City of Reedsport has collected odds and ends from different departments and held an annual sale of surplus property. This annual sale has gone by the wayside in recent years in favor of advertising for sealed bids and placing a list of items on the City Website. This change came because of the time and the effort a sale requires.

Discussions have taken place about the minimal value most of these items have and the actual amount of money that they bring into the City. Staff began to research what other cities do and what the State of Oregon allows pertaining to surplus items of minimal value. It was found that the Oregon Revised Statutes allows public entities to dispose of surplus items of minimal value "by any means determined to be cost-effective". The ORS does not set the minimal value.

The attached Resolution will set policy for the disposal of surplus items with a potential value of \$500.00 or less as determined by the department head. It will also require that a record of how the item was disposed of be maintained.

Councilor Ginger Anderson motioned to adopt a Resolution setting guidelines for disposing of surplus property with a minimal value and assign 2012-006 as the title.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council adopt a Resolution setting guidelines for disposing of surplus property with a minimal value and assign 2012-006 as the title.

VOTE:

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

AYES 7 NAYES 0

(Mayor Keith Tymchuk, Councilors Anderson, Essig, Otis, Macho, Wall-Meyer and Walker voted in favor of the motion.)

Mayor Keith Tymchuk declared the motion passed unanimously.

- B. Shall the City Council allow the petition for a street vacation to proceed and hold a public hearing on the matter?

Mayor Keith Tymchuk said that Councilor Bill Otis will not be participating in the voting on this subject since he is property owner in that area.

City Planner Melissa Anderson said that a petition for a street vacation has been submitted to the City by Lauree Serang, Greg Viert, and Patsy Sichley in order to vacate a portion of the 9th Street right-of-way, between Laurel Avenue and Highway 38 (between Lot 12 Block 3 and Lot 1 Block 5 of the Rainbow Addition in the City of Reedsport, Douglas County, Oregon). They have also submitted, as required by law, signatures of consent of at least 2/3 of property owners with the surrounding area.

The petitioners have paid the application fee to apply for a street vacation, which covers the cost for publishing a public notice and the staff time to process the annexation. There are no other costs to the City for this street vacation.

The requirements and process for street vacations are stipulated in Oregon Revised Statutes (ORS) 271.080, which allows the city governing body to deny the petition for a street vacation; however, if there is no reason why the petition should not be allowed, the city governing body shall fix a time for a public hearing on the matter (ORS 271.100).

She said that if the City Council wishes to consider this petition to vacate a portion of 9th Street, a public hearing will be scheduled for May 7, 2012. Prior to the hearing, public notices will be published and posted in accordance with legal requirements. A staff report will also be prepared for the Council's review and decision-making.

Alternatively, if the Council does not believe the petition for a street vacation is in the public interest, the petition may be denied at this time and staff will notify the petitioners.

Anderson said that the street currently is an unimproved right-of-way and that Oregon Department of Transportation would like to see that access closed because of the geometry of the entrance. It would not be a safe intersection.

Mr. Eric Samuelson of 930 Laurel asked to speak on the issue. He said that Laurel Avenue was brought up last year because there is a real traffic problem on the street already. He said that it was addressed at a Council meeting and they (homeowners) ended up with nothing. Mr. Samuelson addressed concerns he has with on-street parking in the area. He said that it is his understanding that if the proposed street vacation is approved the lot next to the Harbor Lights restaurant would be fenced and no overflow parking would be allowed. He is concerned that the oversized RV's that frequent the restaurant on the weekends would then line Laurel Avenue contributing to even more congestion.

A discussion on the parking issues on Laurel Avenue ensued.

Mayor Keith Tymchuk said that the immediate issue is whether or not to allow a petition for a street vacation to proceed and allow a public hearing on the issue.

Councilor Bill Walker motioned to allow the petition for a street vacation to proceed and hold a public hearing on the matter on May 7, 2012.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council allow the petition for a street vacation to proceed and hold a public hearing on the matter on May 7, 2012.

VOTE:

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

AYES 6 NAYES 0 ABSTAIN 1

(Mayor Keith Tymchuk, Councilors Anderson, Essig, Otis, Macho, Wall-Meyer and Walker voted in favor of the motion.)(Councilor Bill Otis abstained from voting.)

Mayor Keith Tymchuk declared the motion passed unanimously.

- C. Shall the City Council authorize an early payoff of the loan contract with the Hatcher Family Trust for the Public Works Shop site on Elm Street?

Finance Director Vera Koch said that on January 22, 2009, the City of Reedsport entered into a \$115,000 loan contract with the Hatcher Family Trust for the purchase of land contiguous to Public Works Shop on Elm Street. The loan is a 10 year contract with a 10% interest rate with no prepayment penalties for an early payoff. The outstanding amount of the loan is \$88,500.

With the current interest rate on savings accounts at 0.5%, staff is recommending using resources saved for a future public works shop building in the Streets, Water and Wastewater Capital Improvement Funds to pay off the existing debt. It is estimated the early payoff would save the city about \$33,000 in interest in the remaining 7 years.

The loan retirement will deplete city shop building reserve line items but the reserve will be replenished in future year's budgets. The annually budgeted Public Works Shop Site debt payments of \$18,360 will be reallocated to the PW shop building reserves in the Street, Water and Wastewater Capital Funds.

Councilor Diane Essig motioned to authorize an early payoff of the loan contract with the Hatcher Family Trust for the Public Works Shop site on Elm Street.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council authorize an early payoff of the loan contract with the Hatcher Family Trust for the Public Works Shop site on Elm Street.

VOTE:

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

AYES 7 NAYES 0

(Mayor Keith Tymchuk, Councilors Anderson, Essig, Otis, Macho, Wall-Meyer and Walker voted in favor of the motion.)

Mayor Keith Tymchuk declared the motion passed unanimously.

Mayor Tymchuk said that for public information he would like to make sure that everyone is aware that the funding for the Public Works Shop property comes from three funds, Street, Water and Wastewater because the shop services those areas. The money that is being used for this payoff is currently in those funds and it is not being moved from other unrelated funds.

- D. Shall the City Council adopt a Resolution accepting a deed for property at 155 E Railroad Avenue and authorizing the City Manager to sign the loan documents and assign 2012-007 as the title?

City Manager Scott Somers said that at the December 5, 2011 City Council meeting the City Council approved a purchase agreement for property owned by the Hatcher Family Trust. In order to satisfy Douglas County for recording purposes, the City Council is asked to adopt the attached resolution, accepting the transfer of the Hatcher real property, approving the form of the Acknowledgement, and authorizing the City Manager to sign the Acknowledgement. Once the Resolution is adopted and the Acknowledgement is signed, Amerititle in Roseburg will record the deed with Douglas County.

Councilor Diane Essig motioned to adopt a resolution accepting a deed of sale and authorizing the City Manager to sign the Acknowledgement.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council adopt a resolution accepting a deed of sale and authorizing the City Manager to sign the Acknowledgement.

VOTE:

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

AYES 7 NAYES 0

(Mayor Keith Tymchuk, Councilors Anderson, Essig, Otis, Macho, Wall-Meyer and Walker voted in favor of the motion.)

Mayor Keith Tymchuk declared the motion passed unanimously.

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

There were no miscellaneous items discussed.

8. ADJOURN

Mayor Keith Tymchuk

ATTEST:

Deanna Schafer, City Recorder