

MINUTES OF THE REEDSPORT CITY COUNCIL REGULAR SESSION SEPTEMBER 10, 2012 7:00 P.M. CITY HALL COUNCIL CHAMBERS.

PRESENT:

Mayor, Keith Tymchuk
Councilors Ginger Anderson, Bill Otis, Kathi Wall-Meyer, Bill Walker and Councilor Mike Macho
City Manager, Scott Somers
City Attorney, Steve Miller

OTHERS PRESENT:

Deanna Schafer, Vera Koch, Diane Novak, Chief Mark Fandrey, Debby Turner, Susan Martin, Jacque Potter, Dan Welch, Jerry Schneider, Jessica Lloyd-Rogers, DeeDee Murphy, Dennis Swartz, Debbie Mckinney, Leon Bridge, Lorelyn Lorence, Caddy McKeown

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

Dennis Swartz 1921 Cedar Ave. said that he was in front of the Council last month and since that time he has gotten the impression that he is not going to receive services for the 1.9 million dollars. He gave an overview of a police call that he feels wasn't handled correctly. He stated that he does not blame any individual police officers; he only blames the direct supervisor of the Police Department, the Chief of Police.

Interim City Manager Vera Koch said that Mr. Swartz has been advised to file a claim against the City if he feels that his rights have been compromised.

Mr. Swartz said that turning this over to lawyers is not how you fix things. He stated that he would like a private session with the Mayor, the Chief of Police and the appropriate people so that he can present evidence of crimes committed against himself.

3. APPROVAL OF THE AGENDA

Councilor Bill Walker motioned to approve the Agenda.

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

Mayor Tymchuk declared the motion passed unanimously.

4. 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 special session of June 19, 2012.
- B. Approve minutes of the regular session of July 2, 2012.
- C. Approve minutes of the special session of July 9, 2012.
- D. Approve minutes of the executive session of July 17, 2012.
- E. Shall the City Council enter into an agreement with the Oregon Department of Land Conservation and Development (DLCD) to accept a grant for planning services?

Every year the DLCD Coastal Management Program has been able to offer the City of Reedsport a grant to fund planning services. The Coastal Management Program Manager is pleased to offer the City of Reedsport a coastal management grant for \$4,500 to assist in the City's planning needs. This grant award will supplement the budget and enable the City to provide planning services in a timely manner.

The City has anticipated receiving this planning grant for fiscal year 2012-2013 and included \$5,000 of revenue in the planning budget. However, due to rising costs and shrinking funding, the Coastal Management Program found it necessary to reduce the grant amount for each

community by 10%. Therefore, acceptance of this grant funding will deviate from the adopted budget for this fiscal year by \$500; a \$5,000 grant was anticipated but a \$4,500 grant would actually be received if the Council approves the grant. The cost of accepting the grant will be in-kind staff time equal to the amount of the grant.

*1. Approve the grant award of \$4,500 and authorize the Acting City Manager to sign the grant agreement with DLCD in order to fund planning services.

F. Motion to approve the Consent Calendar.

Councilor Kathi Wall-Meyer motioned to approve the Consent Calendar.

Councilor Diane Essig 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 Tymchuk declared the motion passed unanimously.

6. GENERAL BUSINESS

A. Parks and Beautification Committee's recommendation concerning Lion's Park fence donations.

Park and Beautification Committee Chair Jacque Potter and Secretary Susan Martin presented the following information:

In November 2009, the Parks & Beautification Committee (P&BC) began the process of developing criteria for replacing the fencing along Highway 101 at Lions Park. Stakeholders, committee members, and the community spent many hours in discussion and planning in publicly held meetings. The project criteria and implementation was determined, and a partnership with the newly formed Reedsport Community Charter School was formed. The P&BC approached the City Council in June, 2010 for approval to proceed with project implementation including applying for grant funding and soliciting community donations for which approval was given.

As the project progressed through its plan and the Reedsport Community Charter School better understood their new role as a charter school, the original intent to write grants through the school was no longer available to the project. This eliminated prospective educational grant funding opportunities for the project and changed the level the students could participate in the project itself. Grant applications were submitted through the City of Reedsport during two private foundation grant cycles. No submissions were approved. The P&BC feels this is due to the great demand for basic human services provided by non-profits organizations during this time of economic hardship. The committee had hoped the economy would have improved enough so that granting agencies would look favorably on this project but this has not happened at this time. From August, 2010 to March 2012, the P&BC received \$5,590 in community donations for the fence project. This is the total amount raised for the Lions Park Fence Project to date.

Much to the regret of the P&BC, they have concluded that this project is no longer feasible without the educational granting opportunities and the current economic state. They would like to offer the donors the option of having their donations returned to them or leaving them in the Lions Park Fence Project fund for future Lions Park improvements. The donors would be notified by letter.

Councilor Bill Otis asked that the Committee present this information to the Reedsport School board and find out why the Financial Officer is not allowing the grants to go through the school. He said that this project is imperative to our school children.

Ms. Martin said that this was a great idea and asked if this should be done before the letters go out or after.

Otis and Mayor Tymchuk said that the fact that they are going to address the issue with the School District board be included in the letter.

Councilor Bill Walker motioned to approve offering the Lions Park Fence Project donors the option of having their donations returned to them or leaving them in the Lions Park Fence Project fund for future Lions Park improvements.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council approve offering the Lions Park Fence Project donors the option of having their donations returned to them or leaving them in the Lions Park Fence Project fund for future Lions Park improvements.

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 Tymchuk declared the motion passed unanimously.

- B. Shall the City Council approve an employee voluntary leave program for the fiscal year 2012/2013?

Interim City Manager Vera Koch said that during the budget adoption process in the spring the Budget Committee attended a work shop and participated in a budget reduction exercise. One of the items presented for the Committee to consider was an employee voluntary leave program. This option was recommended to be included in the budget of the 2012-13 adopted budget.

A sample policy that the Council is asked to consider for adoption was provided to them prior to the meeting. The policy allows employees to request to work up to 8 fewer hours per week or up to two weeks without pay per fiscal year. This policy is presently recommended for the current fiscal year.

It is staff's recommendation that this policy not be implemented until the first of the January due to the current reduced staffing levels.

The fiscal impact of this program remains to be determined because it is unknown how many employees would exercise the options presented, estimated at \$1,500 to \$2,500 per employee.

Councilor Otis said that he feels it is important to consider an employee's request for time off on an individual basis.

The consensus of the Council was to support this program commencing January 1, 2012.

Councilor Mike Macho motioned to table the employee voluntary leave program now and come back to Council January 1, 2013.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council table the employee voluntary leave program now and come back to Council January 1, 2013.

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 Tymchuk declared the motion passed unanimously.

C. Shall the City Council approve a contract for City Prosecutor services?

Interim City Manager Vera Koch said that in January 2012, Prosecuting Attorney David Anderson contacted the City with a 90 day notice of termination of contract due to retirement. The City Manager contacted several individual law firms in the South Coast area. A proposal has been received and negotiated with the law firm Muenchrath Law.

Highlights of the negotiated contract are as follows:

- Term: Five (5) year contract beginning on July 1, 2012 and ending on June 30, 2017.
- Compensation: \$1,350 retainer per month.
- Duties: Reviews and prosecutes all Municipal Court misdemeanor offenses and cases, prosecutes traffic offenses when deemed necessary by City, assists in preparation of search warrants and arrests, interacts as needed with Municipal Court Judge, Police Chief, City Manager and City Attorney on legal issues and activities of the Municipal Court and keeps City Council informed annually on overall activities of the City Prosecutor.
- Performance evaluation: Annual by City Manager.

The annual cost of this contract is \$16,200, which is comparable to the cost of the previous prosecuting attorney retainer.

Councilor Bill Walker motioned to award a personal services contract for a City Prosecutor for the City of Reedsport.

Councilor Bill Otis seconded the motion.

MOTION:

that the City Council award a personal services contract for a City Prosecutor for the City of Reedsport.

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 Tymchuk declared the motion passed unanimously.

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

Interim City Manager Vera Koch said that a National Night Out event will be held at 5:00pm on Tuesday, August 7, 2012 at Lion’s park.

8. EXECUTIVE SESSION OF THE REEDSPORT CITY COUNCIL , 2011 CITY HALL COUNCIL CHAMBERS.

PRESENT: Mayor Keith Tymchuk, Councilors Ginger Anderson, Bill Otis, Mike Macho, and Bill Walker

City Manager Scott Somers

Attorney Steve Miller

OTHERS PRESENT: Deanna Schafer, Vera Koch

Pursuant to ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Pursuant to ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

9. ADJOURN

Mayor Keith Tymchuk

ATTEST:

Deanna Schafer, City Recorder