

MINUTES OF THE REEDSPORT CITY COUNCIL REGULAR SESSION JULY 12, 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: Deanna Schafer, Diane Novak, Vera Koch, Floyd Dollar, Lee Bridge,
Lorelyn Lorence, Debbie McKinney, Allen Teitzel, Sunnie Hedden, Lillian Burch, Bee Miller,
Mark Bedard, Lori Newman

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Keith Tymchuk called the meeting to order at 7:10pm.

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.*

Mr. Dennis McQuire, 890 Doyle Avenue, addressed the Council concerning a land swap between he and the City of Reedsport on a piece of property located on Fir Ave that he is in the process of selling. The property in question has been recently advised by the City that it is in violation of Reedsport Municipal Code for storage of inoperable vehicles in a non site obscuring area. Mr. McQuire informed council that his tenant would like to build a site obscuring fence around the property but because the land swap was never recorded at the County level, he doesn't know where to place the fence. He said that he was approached by the City over 10 years ago about swapping a portion of the City right-of-way for a portion of his property which would result in the alley behind his property having a better access and his property would then be a rectangular shape rather than triangular.

Mr. McQuire said that he was under the impression that the process was complete because a survey had been completed and recorded at the County and all parties had agreed. He discovered that it was not fully processed when he went to sell the property (2006). He then approached the City about the issue. At that time Mr. Rick Hohnbaum (then City Manager) wrote him a letter stating that the swap could only be finalized if McQuire furnished the City with proof that the property in question was clear of contaminants, including the City owned portion. Nothing further was done at that time.

Mr. McQuire is requesting that the City complete the land swap process so that a fence can be erected.

Mayor Tymchuk directed that City Manager Scott Somers and City Attorney Steve Miller look into the issue.

Ms. Sunnie Hedden of 35135 St. Highway 38, Scottsburg, Oregon inquired as to whether item B. from the Work Session was going to be carried forward to the Regular Session.

Mayor Tymchuk said that it would not. The item was discussed in Work Session and Ms. Sherril Paul, Douglas County Senior Advisory Board member, was present and is going to convey the concerns presented back to the County level and report back.

3. PRESENTATIONS, PROCLAMATIONS, AWARDS, CITIZEN COMMENTS

- A. Mr. Dennis Robinson of SAIF Corporation presented the City of Reedsport with an award for 0 incidents for the last policy period.
- B. Chamber of Commerce annual report. This report was moved to the August 3, 2010 meeting of the City Council.

4. APPROVAL OF THE AGENDA

City Manager Scott Somers asked that an item be added to the Agenda to include a letter of support from the City Council discouraging Bonneville Power Administration to remove street trees along Frontage Road, inside the City limits.

Mayor Keith Tymchuk amended the agenda to add item 7.C. under General Business.

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

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

Mayor Tymchuk declared the motion passed unanimously.

5. PUBLIC HEARING

None.

6. 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 June 7, 2010.
- B. Approve minutes of the regular session of June 7, 2010.
- C. Shall the City authorize issuance of 1-year blanket purchase orders for various purchases during Fiscal Year 2009/ 010?

For a number of years, the City has issued blanket purchase orders for items such as tires and accessories, road maintenance materials, jail supplies, chemicals for treatment plants, etc. based on the fact that most of the purchases are less than the amount that requires a formal bid.

Issuing blanket purchase orders reduces the amount of time needed for preparing and approving individual purchase orders greater than \$1,000. Payments of a \$1,000 or greater made through a contract do not need a purchase order.

There is a longstanding policy to attempt to purchase locally where possible. Purchasing locally has realized considerable reduction in the number of delays in obtaining materials as well as

additional transportation costs and several of the business bill the City on a monthly basis. The City staff has reviewed purchases that are suited for issuing a blanket purchase order for more efficient operations. Listed below are the supplier's that should become part of the blanket purchase order practice:

Purchase Order Amount Not to Exceed:

1. Brentag Pacific, Inc. (Water Treatment Plant)	13,000
2. Consolidated Supply Co. (Utility Pipe & Fittings)	10,000
4. Heard Farms (Sludge disposal)	30,000
6. Linde Gases (Water Treatment Plant)	22,000
7. JCI Jones Corp. (Chemicals @ Water Plant & Wastewater Plant)	15,000
8. Umpqua Research Co. (Water & Wastewater Testing)	18,000
9. United Pipe & Supply (Utility Pipe & Fittings)	45,000

- *1. Authorize issuance of 1-year blanket purchase orders for: Brentag Pacific, Inc., Consolidated Supply, Heard Farms, Linde Gases, JCI Jones Corp., Umpqua Research, and United Pipe & Supply during Fiscal Year 2010-11.

D. Shall the City Council appoint a member to the City Budget Committee?

Due to the resignation of Mr. Al Villeneuve there is an opening on the City of Reedsport Budget Committee. This is a partial term and will have an expiration date of December 31, 2010.

Currently there is one application on file for appointment. The applicant has been contacted and Mr. Aaron Blackman of Reedsport has expressed an interest in serving on this Committee.

- *1. Appoint Mr. Aeron Blackman to fill a vacancy on the City of Reedsport Budget Committee.

E. Shall the City Council ratify the Mayor's appointment to the Reedsport Branch Library Advisory Board?

Due to resignation of Reedsport Branch Library Advisory Board member Craig Palermo, one opening has been created on this Board. This is a partial term and will expire December 31, 2011.

The City has received one application for this position. Mr. Ervin Jones of Reedsport has expressed an interest in serving on this board.

- *1. That the City Council ratifies the Mayor's appointment of Mr. Ervin Jones to the Reedsport Branch Library Advisory Board.

F. Motion to approve the Consent Calendar.

Councilor Ginger Anderson moved that the City Council approve the Consent Calendar.

Councilor Bill Otis 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, Wahl, Anderson and Walker voted in favor of the motion.)

Mayor Tymchuk declared the motion passed unanimously.

7. GENERAL BUSINESS

A. Shall the City Council award a personal services contract for planning services?

City Manager Scott Somers said that at the April 12, 2010 Budget Committee meeting, staff discussed how the current contract City Planner, Melissa Anderson, would either remain on contract or become a part-time City employee beginning in the new fiscal year. Due to the cost of benefits, not including health care, it was decided that Anderson would remain on contract.

For contracts costing over \$5,000 but under \$150,000, ORS Chapter 279B requires municipalities to acquire three (3) competitive quotes. Hourly rates from six (6) contract planners were obtained via a survey of small cities that contract for planning services. Of the six (6) cities that provided data, Anderson at Reedsport was the lowest with a proposed hourly rate of \$45.00. On average, of those cities surveyed, cities pay an hourly rate of over \$66.00 per hour for contracted planning services.

Melissa Anderson has been working for the City of Reedsport for over a year on a temporary basis in order to allow staff appropriate time to determine how best to fulfill the planning services function. Based on budget allowances, Melissa has worked approximately one (1) to two (2) days per week at City Hall. During this time, she has provided office hours for citizens and customers, prepared staff reports for Planning Commissioners, prepared agenda items for both the Planning Commission and City Council, provided planning assistance to staff, drafted and managed planning grants, including those submitted to the Department of Land and Conservation and Development (DLCD) and participated in Rainbow Plaza community and stakeholder meetings. Those that have worked with Melissa, including Planning Commissioners Tietzel and Vanderkley have stated that she's extremely knowledgeable and is an asset to Reedsport.

Staff has negotiated a draft contract with Melissa based on Planning and Urban Renewal District budget constraints, and the needs and requirements of the City and the Contractor.

Based on the FY 2010-11 Budget, costs for Planning Services may not exceed \$26,095 from the Planning Budget and \$13,000 from the Urban Renewal District Budget. In order to stay within budget, Anderson must provide, on average, no more than seventeen (17) hours of work per week to the City of Reedsport for planning services.

Somers said that, if Council chooses, staff could prepare a Request for Proposal (RFP). The City is not required to do that but it can be done. Somers said that he suspected the City wouldn't get any different results than shown by the survey.

Councilor Tonya Wahl expressed an interest doing an RFP to see if there are other people that could perform the duties for less than \$45.00. Wahl said that a \$12.00 raise between the previous contract and the new one is too extreme.

Mayor Tymchuk asked what the amount of funds were budgeted for the 2009/2010 fiscal year.

Somers said that the amount budgeted from the General Fund is about the same last year as is budgeted this fiscal year.

Council Ginger Anderson said that by looking at Anderson's resume, it appears that Ms. Anderson is well qualified.

Somers said that in comparison to last year when the Public Works Administration position was terminated, the City realized savings in the Water and Wastewater Utility Funds. The Planning

Department Fund was fully expended. The saving in the Utility Funds has been transferred to Contracted Services and a portion was used to work with Lane County Council of Governments to update mapping for the utility systems.

Councilor Ginger Anderson said the hourly increase shouldn't be considered a raise because the planner will have other expenses as a contracted employee.

Councilor Otis asked what the hourly cost for the planner on payroll previously.

Somers said that the wage was about \$25.00 an hour and with benefits it would increase another approximately 50%.

Councilor Ginger Anderson moved that the City Council award a personal services contract for planning services to Melissa Anderson and authorize the City Manager to sign the contract.

Councilor Bill Walker seconded the motion.

Councilor Bill Otis said that he would like to comment that he would rather see an employee on payroll full time than a service contracted out part time.

MOTION:

that the City Council award a personal services contract for planning services to Melissa Anderson and authorize the City Manager to sign the contract.

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 Tonya Wahl voted in opposition)

Mayor Tymchuk declared the motion passed unanimously.

B. Shall the City Council amend the personal services contract for computer systems maintenance?

City Manager Scott Somers said that the City's computer network system requires the services of a Information Technician (IT). That capability is not currently available in the city staff nor can the city fund a full time position. The rapid change within the computer industry does not lend itself to keeping a city staff personnel trained for this type of computer support. It is important to hire the technician that is familiar with the City's network systems. Maintenance of a network system is more complicated than maintaining personal computers for each individual person.

JBA Computer Service is currently the company hired by the City of Reedsport to provide support for the network system. They provide service to all of the City operations. It is important to continue with the same service provider, as the network servers require trained and knowledgeable personnel for quick repairs and updates.

At the August 3, 2009 Council meeting, a renewable personal service contract was awarded to J.B.A Computer services for the yearly amount of \$6,600. Actual hours worked and number of visits has been tracked for the past year in order to provide comparison information. If the City had been paying per hour/visit, the total cost would have been \$8,096.75 resulting in a savings of \$1,496.75.

For fiscal year 2010/2011, JBA Computer Services proposes amending the personal service contract to increase the monthly fee by \$100. The additional \$1,200 per year is the first fee increase requested from JBA Computer Services since 2006.

A contract ensures that the City is the first on JBA Computer Services list for emergency response. The amended contract agreement has been updated to reflect the increased fee. The agreement allows for the contract to automatically renew unless either party request otherwise.

If an intensive computer project arises, it would be considered outside the contract amount and would be done per purchase order.

The contract of \$7,800 does not cover weekend emergency calls, but is designed to keep those calls to a minimum. By providing systematic network maintenance and software upgrades, the emergency calls will be minimized. Mr. James Freshman and staff of J.B.A. Computer Services have provided excellent services during past seven fiscal years.

An additional \$1,200 to be allocated between the General Fund, Riverfront Fund and all Utility Funds.

Mayor Keith Tymchuk said that the City cannot afford to have a fulltime staff person for this kind of work. He feels that we get the most for our money with the IT work contracted out. He said that both the Lower Umpqua Hospital and the School District have a fulltime staff person dedicated to the IT department.

Councilor Ginger Anderson moved that the City Council amend the personal services contract to increase the yearly fee to \$7,800 for computer systems maintenance to J.B.A. Computer Services.

Councilor Bill Walker seconded the motion.

MOTION:

that the City Council amend the personal services contract to increase the yearly fee to \$7,800 for computer systems maintenance to J.B.A. Computer Services.

VOTE:

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

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

C. Shall the City Council appoint a member to the City Planning Commission?

Due to the resignation of Mr. Tom Campbell there is an opening on the City of Reedsport Planning Commission. This is a partial term and will have an expiration date of December 31, 2013.

The position was advertised and two applications were received one from Ms. Janet Fitzgerald of Reedsport and one from Mr. Justin Kramer, also of Reedsport.

Mayor Tymchuk said that both of the applicants are highly qualified. Since there are no building contractors on the commission currently, this would be a good addition.

Other Councilors agreed that it had been a long time since a contractor was on the Planning Commission and therefore thought Kramer would be a good addition.

Councilor Ginger Anderson moved that the City Council appoint Justin Kramer to fill a vacancy on the City of Reedsport Planning Commission.

Councilor Bill Walker seconded the motion.

MOTION:

that the City Council appoint Justin Kramer to fill a vacancy on the City of Reedsport Planning Commission.

VOTE:

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

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

7.C.a Letter of support from the City Council discouraging Bonneville Power Administration to remove street trees along Frontage Road, inside the City limits.

Council discussion on concerning the intention of Bonneville Power Administration to remove trees that are located within the power easement. The Planning Commission had recently written a letter to BPA encouraging the company to consider not cutting the trees down and has asked the City Council to also support this effort. A draft letter was presented to Council by Planning Commissioner Mr. Allen Teitzel.

Consensus of the Council was to direct City Manager Scott Somers to draft a similar letter to encourage BPA to not remove the trees, however, if they are surveyed by a professional and determined to be in danger of crossing power lines, then to ask them to work with the City on replacing the trees with a smaller street tree instead.

D. Shall the City Council approve change orders number 14, 19, 22, and 23 with R&G Excavating for additional work at the Wastewater Treatment Plant?

We are approaching the completion of the wastewater treatment plant construction project and several issues have arisen that need change orders approved to correct them.

City Engineer Steve Majors of The Dyer Partnership and Public Works Director Floyd Dollar explained the following change order items to the City Council:

Change Order No. 14 Access road

As we started to use the rehabilitated digested solids storage basin and have the solids hauled for land application, it was discovered that the access road to the basins was too narrow and also needed to be realigned for large trucks to maneuver. This change order calls for widening the existing road from twelve feet to twenty feet. The majority of the cost is for extra rock and extra pavement. Cost of change order is \$11,220.57.

Change Order No. 19 Pressure relief valves

The old aeration basins were rehabilitated into digested solids storage basins. During this work it was discovered the hydrostatic pressure relief valves were not functioning. The relief valves relieve groundwater pressure on the bottom of the basins; otherwise, an empty basin would float out of the ground or cause damage to the basin. Eleven 4- inch relief valves were installed in each of the two basins for a Total of \$11,358.39.

Change Order No. 23 Extra work and concrete at Digested Solids Basin #1

The old aeration basins were rehabilitated into digested solids storage basins. Basin #1 was constructed in 1970 and the bottom slab was wavy and uneven. The rehabilitation work was to pour new 6-inch thick concrete floors over the existing floors. Due to the unevenness of the

existing floors the new slab will take additional concrete and work than expected. It's projected that it may take an additional 58 yards of concrete. Cost of change order is not to exceed \$18,758.73

Change Order No. 22 Louvers on generator room

An emergency electrical generator is to be part of the wastewater treatment plant project. It was designed to be housed at the end of the electrical building with two sides open for adequate ventilation. Rain and wind enters this area and is causing the generator to rust. The manufacturer's representative is saying that the generator needs to be protected from the weather. Also the generator needs to be protected from vandalism. Therefore, louvers will be constructed to meet these needs. Cost of change order is not to exceed \$15,640.75.

R & G Excavating has agreed to build and install the louvers in lieu of liquidated damages owed to the City due to additional time taken on the Arthur/Bowman sewer collection project, which was overseen by Kennedy/Jenks. At the April 5, 2010 City Council meeting, the City Council approved an amendment to the contract between the City and Kennedy/Jenks for unanticipated costs caused by the time delay. The amendment stated that fees paid to Kennedy/Jenks should not exceed the liquidated damages, in cash or in kind, received from R & G Excavating Inc.

Total cost of the four change orders is \$41,337.69, which does not include the cost of Change Order No. 22 (\$15,640.75) since R & G Excavating has agreed to provide this service in lieu of cash liquidated damages. However, per the Council approved amendment to the contract with Kennedy/Jenks, this amount, \$15,640.75, will be paid to Kennedy/Jenks for services caused by the delay on the Arthur/Bowman collection project.

Mr. Steve Majors said that change orders are less than 10% of the project which with a project this large is spectacular.

Councilor Tonya Wahl said that the issue she has is that some of these are projects that have already been completed. In the past a special meeting was called if there was a need to complete a project prior to the next Council meeting.

Dollar said that the City has had extra meetings in the past.

Majors said that the easiest thing to do is to get on the phone and call the Councilors to keep them informed.

Councilor Ginger Anderson said that this is a large project and the City has learned as the construction commenced.

Councilor Ginger Anderson moved that the City Council approve change orders number 14, 19, 21 and 22 with R&G Excavating for additional work at the Wastewater Treatment Plant as presented and authorize the City Manager to sign.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council approve change orders number 14, 19, 21 and 22 with R&G Excavating for additional work at the Wastewater Treatment Plant as presented and authorize the City Manager to sign.

VOTE:

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

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

8. MISCELLANEOUS ITEMS

(Mayor, Councilors, Student Councilors, City Manager, City Attorney)

Councilor Diane Essig said that the project called Christmas in July was a success. She said that over 100 people volunteered and 27 projects were completed, 5 more will be completed in the future.

Councilor Ginger Anderson asked what the status was on the agreement between the Waterfront Restaurant and Lounge and Emilio's restaurant. She said that she feels that no more City Attorney time should be spent on it and that if it is not resolved soon that they need to get their own lawyers.

Councilor Bill Otis said that he would like a report on the progress of the current infrastructure projects outlined in the Urban Renewal District plan.

Public Works Superintendant Floyd Dollar said that the Downtown Stormwater Reroute project is currently at USDA Rural Development for grant/loan approval.

City Manager Scott Somers said that all of this information was recently reported in the Umpqua Post newspaper.

Otis said that the infrastructure project should be a priority over the Rainbow Plaza project. He said that infrastructure is a Council Goal and was a priority of the Main Street community meeting held last fall. Councilor Otis requested a copy of the Urban Renewal District Plan & Report that identifies the Rainbow Plaza as a project of the district.

Mayor Keith Tymchuk directed staff to provide copies of the Plan & Report to Councilors that don't currently have them.

Somers said that the Council could have a work session on the Urban Renewal Plan & Report.

Councilor Bill Walker said that he would like the Council to make a statement to side with Arizona on the current immigration laws.

Mayor Tymchuk said that it was a good point and it will be interesting what comes out of Congress concerning this subject.

ADJOURN

9:00pm

Mayor Keith Tymchuk

ATTEST:

Deanna Schafer, City Recorder