

MINUTES OF THE REEDSPORT CITY COUNCIL REGULAR SESSION MARCH 5, 2012
7:00 P.M. CITY HALL COUNCIL CHAMBERS.

PRESENT: Mayor, Keith Tymchuk
Councilors Mike Macho, Bill Otis, Diane Essig, Kathi Wall-Meyer
and Bill Walker (Councilor Ginger Anderson was absent)
City Manager, Scott Somers
City Attorney, Steve Miller

OTHERS PRESENT: Deanna Schafer, Vera Koch, Melissa Anderson, Chief Mark
Fandrey, Lee Bridge, Lorelyn Lorence, Floyd Dollar, Shirley
Welch, Lois Ekstrom, Douglas Buck, Carolyn Buck, Dan Welch,
Russ Ekstrom, Roy Swift, Marlene Swift, Steve Cluck

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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.*

3. PRESENTATIONS, PROCLAMATIONS, AWARDS

There were no presentations scheduled.

4. APPROVAL OF THE AGENDA

Councilor Diane Essig motioned to approve the Agenda.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council approve the Agenda.

VOTE:

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

AYES 6 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

5. PUBLIC HEARINGS

There were no public hearings.

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 City Council Work Session of February 6, 2012.
- B. Approve minutes of the City Council Regular meeting of February 6, 2012.
- C. 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 6 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

7. GENERAL BUSINESS

- A. Shall the City Council adopt a Resolution setting forth amendments to the City of Reedsport Charter of 2006 requiring voter approval of tax or fee increases adopted after August 1, 2010?

City Manager Scott Somers said that in February of 2011 the City of Reedsport received a proposed initiative petition asking that an amendment be made to the City of Reedsport Charter

of 2006 that would require voter approval of any tax or fee increases adopted after August 1, 2010. The proposed language was reviewed and deemed compliant with constitutional requirements.

A ballot title was created by Acting City Attorney Paul Nolte and returned to the City on March 7th, 2011. As required by ORS 250.275(5) the ballot title was published in The Umpqua Post and the timeline for review was allotted. After receiving no petitions for review of the ballot title, a notice to proceed with the gathering of signatures pursuant to the City Initiative Manual issued by the Secretary of State was sent to the chief petitioners.

At the February 6th, 2012 regular meeting of the City Council, Mr. Roger Elsevier, Chief Petitioner, turned in petitions purporting to contain 400+ signatures of citizens within the City of Reedsport supporting that the measure be placed on the May 17, 2012 ballot for a vote. The Reedsport Municipal Code requires that the petitions must be signed by a number of legal voters equal to fifteen (15) percent of the votes cast for Mayor at the last preceding municipal election. The total number of signatures required was 238 and the Douglas County Elections Division verified that at least 238 signatures were valid.

Normally when an initiative is proposed, the City Council has an option of accepting or declining to accept the action requested, however; since the action requested is an amendment to the Charter it has to be voted on regardless of whether the Council supports the action or not.

Mayor Keith Tymchuk asked City Attorney Steve Miller to clarify that if this resolution were to not get a motion; would the item in question then die? What are the consequences of this scenario?

City Attorney Steve Miller referenced the Oregon Revised Statutes and the Secretary of State City Initiative Manual 2012. He said that the law requires that the Council must review the initiated measure within 30 days of being submitted and if rejecting or if city charter requires an election, the initiated measure must be submitted to the city voters at the next available election date. He said that the prepared resolution would fulfill this expectation but there is no reason why the resolution would need to be voted on for the initiated measure to be submitted to the city voters. The requirement of the review will be accomplished either way.

This item died for a lack of motion. Direction is for City Recorder Deanna Schafer to submit the initiated measure to Douglas County Elections office to appear on a city Ballot in May, 2012.

- B. Shall the City Council accept a 2011 HSGP grant award in the amount of \$19,988.00 for the purpose of developing a mobile communications vehicle?

Police Chief Mark Fandrey said that the 2011 Homeland Security Grant Program (HSGP) award is a 2 year, zero match, federal grant. Funds under this year's grant program will be used to enhance the redundancy of Reedsport's communication system by completing phase II of the development of an incident command/communications vehicle, this also an objective within the Public Safety Goal.

Funding under the FY 2011 HSGP will be used to purchase a used recreation vehicle, transfer existing radios from the phase I project, and install additional radio banks into the recreation vehicle, creating a mobile dispatch platform.

The vehicle is designed to sustain long term dispatch and command operations in the event the Police Department requires evacuation. The vehicle will also have a one channel repeater system which will be capable of adding a repeated frequency or restoring repeater functions if one should fail during emergencies.

He said that it is critical to use a single radio repair provider responsible for the maintenance, repairs, and upgrades to complex radio systems. Silke Communication is responsible for having a thorough working knowledge of all emergency radio systems used by the Police Department and the dispatch center. Silke Communications completed phase I of this project and they have worked with staff to complete a plan to continue the project through completion of this phase II. Staff plans to have Silke Communications complete phase II of this project under continuity of services exception.

ORS 279B.075 (2a) Sole-source procurements allow capital projects to be awarded without a bidding process when.....”The determination of a sole source must be based on written findings that may include: That the efficient utilization of existing goods requires the acquisition of compatible goods or services.”

Fandrey said that the addition of a recreational vehicle to the Police Department’s vehicle inventory will result in some added maintenance costs. In this case, costs will be primarily related to weatherization of the recreation vehicle. The additional radio equipment will require general maintenance to keep operational long-term.

Councilor Mike Macho motioned to authorize the city manager to accept the 2011 HSGP grant, expenditure of funds outline in the budget summary, and award the project under authority of ORS 279B.075 (a) Sole-source procurements, continuation of operations.

Councilor Diane Essig seconded the motion.

MOTION:

that the City Council authorize the city manager to accept the 2011 HSGP grant, expenditure of funds outline in the budget summary, and award the project under authority of ORS 279B.075 (a) Sole-source procurements, continuation of operations.

VOTE:

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

AYES 6 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

- C. Shall the City Council adopt a Resolution approving a Condemnation Agreement which will transfer an undivided 50 percent interest in property located at 0 2nd Street (Tax Lot 3400) to the City of Reedsport?

City Manager Scott Somers said that several months ago the City was approached by a property owner expressing interesting in donating their 50 percent share to the City. The City Council at that time directed staff to move forward with preparing the necessary paper work to accept the property since the property is located across from the Umpqua Discovery Center and may be of significant use in the future for further downtown redevelopment. Steve Miller, City Attorney, has prepared the attached Resolution and Condemnation Agreement for the City Council's consideration.

Fees associated with receiving the property through the condemnation agreement process should run approximately \$900.

Councilor Kathi Wall-Meyer motioned to adopt a Resolution initiating a condemnation and approve a Condemnation Agreement which will transfer an undivided 50 percent interest in property located at 0 2nd Street (Tax Lot 3400) to the City of Reedsport.

Councilor Bill Walker seconded the motion.

MOTION:

that the City Council adopt a Resolution initiating a condemnation and approve a Condemnation Agreement which will transfer an undivided 50 percent interest in property located at 0 2nd Street (Tax Lot 3400) to the City of Reedsport.

VOTE:

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

AYES 6 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

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

Mayor Keith Tymchuk commended the Confluence committee for a superb job done and thanked City staffs for their role in making it run smoothly.

City Manager Scott Somers said that the Housing Authority of Douglas County (HADCOR) board met recently and has tentatively ruled to amend the lease between the City and HADCOR to allow alcohol to be sold and consumed at the Senior Center during special events. He also reminded everyone that there will be a Budget Committee work session on March 19, 2012 at 7:00pm.

Somers said that the latest addition of the City newsletter is now available.

Mayor Tymchuk also mentioned that at the legislative government level there has been discussion on moving to allow a change in the Oregon State Statues to potentially allow the Department of Environmental Quality loan terms to be extended to 30 years repayment as opposed to the 20 year limit currently allowed.

Somers said that Senator Merkley's office has done an outstanding job in researching and providing information on the Federal Clean Water Act which governs this requirement.

Councilor Bill Otis brought up the need for a lighted cross walk in old town across Highway 38. He also thanked the City for proposing the resolution to waive garage sale permits during Memorial Day weekend. He said that this encourages citizens to clean out unwanted items.

11. ADJOURN

Mayor Keith Tymchuk

ATTEST:

Deanna Schafer, City Recorder