

MINUTES OF THE REEDSPORT CITY COUNCIL REGULAR SESSION APRIL 1, 2013 7:00 P.M. CITY HALL COUNCIL CHAMBERS.

PRESENT: Mayor, Keith Tymchuk  
Councilors Frank Barth, DeeDee Murphy, Linda McCollum, Kathi Wall-Meyer, Diane Essig and Councilor Mike Macho  
City Manager, Jonathan Wright  
City Attorney, Steve Miller

OTHERS PRESENT: Deanna Schafer, Chief Mark Fandrey, Vera Koch, Larry Meyer, Tom McKregan, Shane Osburn, Terry Plotz, G.A. Clark, Karen Callahan, Allen Teitzel, Vern Hausmann, Gail Adamson, Kay Nichols, Karen Olson, Roger Elsevier, Geri Elsevier, Due Cousineau, Howard Otto, Turner, Phyllis Deaver, Susan Martin, Lee Bridge, Lorelyn Lorence, Ellen Keeland, Debbie McKinney, Steve Lindsey (Umpqua Post)

CALL TO ORDER/PLEDGE OF ALLEGIANCE

1. PRESENTATIONS, PROCLAMATIONS, AWARDS, 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.*

A. Good Friends and Neighbors awards.

Mayor Keith Tymchuk presented Good Friends and Neighbor awards to Mr. Howard Otto and Mr. Gerald Clark. Mr. Otto volunteers to maintain the landscaping at the Library. Mr. Clark voluntarily cleans up road sides around the community.

B. Tsunami presentation.

Mr. Terry Plotz presented information of Tsunamis and their potential effects to the City of Reedsport and surrounding areas. He presented information on what the community is doing to become aware and respond in case of a Tsunami.

C. Arbor Day Proclamation.

Mayor Tymchuk read an Arbor Day proclamation.

Mr. Shane Osburn and Mr. Tom McKregan spoke on behalf of an organization called Oath Keepers. They presented a resolution in opposition of the National Defense Authorization Act (NDAA) that they asked the Council to add it to the regular agenda at the next meeting.

Mr. Larry Meyers spoke in favor of opposing the NDAA.

Mayor Keith Tymchuk said that he was opposed to individual Cities voting to support or oppose an act that is currently being challenged in the National Court System. He felt that the purpose of the Court system is to decide these types of issue.

Councilor Frank Barth made a motion to add a resolution in opposition to NDAA to the agenda at the next Council meeting.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council add a resolution in opposition to NDAA to the agenda at the next Council meeting.

VOTE:

AYES 3 NAYES 4

(Mayor Keith Tymchuk, Councilors McCollum, Essig, and Macho voted in opposition of the motion.) (Councilors Murphy, Barth and Wall-Meyer voted in favor of the motion)

Mayor Tymchuk declared the motion did not pass.

## 2. APPROVAL OF THE AGENDA

City Manager Jonathon Wright asked the Council if they would amend the agenda to add a resolution in support of submitting a grant to the Oregon Department of Parks and Recreation for development of Rainbow Plaza.

Consensus was to add the item to the agenda.

Councilor Frank Barth asked that item 5.C. of the Consent Agenda be removed and placed on the General Business Agenda for discussion.

Councilor Diane Essig motioned to approve the agenda as amended.

Councilor Mike Macho seconded the motion.

MOTION:

that the City Council approve the agenda.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

## 3. PUBLIC HEARINGS

## Reedsport Waterfront & Downtown Plan

- A. Shall the City Council adopt an Ordinance amending the Reedsport Comprehensive Plan by adopting the Reedsport Waterfront & Downtown Plan and various text and map amendments and assign 2013-1119 as the title?

Mayor Keith Tymchuk opened the public hearing at 7:53pm.

City Manager Jonathan Wright presented the following information:

The purpose of the Waterfront and Downtown Plan is to create an integrated land use and transportation plan to revitalize Old Town Reedsport, guide development for a mixed-use and pedestrian-oriented downtown and waterfront area that maintains a balance of industry and tourism and links the downtown to the Umpqua River Waterfront.

After multiple public meetings, on September 24, 2012, City of Reedsport Planning Commission held a public hearing in which the Commission approved the Waterfront and Downtown Plan document and subsequent Plan Map amendments, recommending that the Reedsport City Council adopt the document as submitted. On November 5, 2012, the City Council held a public hearing in which the Council reviewed the Plan document and proposed Plan Map amendments. After consideration, the Council deliberated to a decision to remand the matter back to the Planning Commission, with instruction to address the following:

1. *Potential Transportation Issues*
2. *Improve Readability of the Waterfront and Downtown Plan Document*
3. *Implement the New Commercial Live/Work Mixed Use Zone (CMU)*
4. *Address Zone Map Amendments*

The area affected by the proposed amendment is approximately 10 acres located in the City of Reedsport downtown area and approximately 3.7 acres of land located on the Mast property off of Port Dock Rd. The Plan document and subsequent Plan and Zone map amendments were strategically developed to encourage economic growth and enhance underutilized areas. The proposed CMU zone will allow flexible industrial and commercial options to take place on the areas just behind the City's existing commercial downtown core on State Highway 38. The proposed amendments are also to recognize the City's intent to develop Rainbow Plaza.

Adoption of the *RWDP* consists of the following actions:

- 1) Adopt the *Reedsport Waterfront and Downtown Plan* as a supporting document to the Reedsport Comprehensive Plan (Exhibit B).
- 2) Amend various text of the City of Reedsport Comprehensive Plan, including amendments to the Reedsport Transportation System Plan (TSP), as addressed previously, (Exhibit C); and
- 3) Amend various land use map designations of the City of Reedsport Comprehensive Plan and Zone (Exhibit D); and

- 4) *Add a new CMU Commercial Live/Work Mixed Use Zone* as Section 10.72.190, allowing a broad range of neighborhood-serving retail (similar to C-1), enclosed light industrial (similar to LI), and residential uses (Exhibit E).

#### ITEMS ADDRESSED AT THE NOVEMBER 5, 2012 CITY COUNCIL HEARING:

Based on the findings of the September 24, 2012 Planning Commission hearing (Exhibit C), City Council found the proposed Plan Document and subsequent text and map amendments to be consistent with the Reedsport Comprehensive Plan, Oregon Revised Statutes, and Oregon Administration Rules; however, there was a question raised regarding compatibility with the Reedsport Transportation Systems Plan (TSP). That question is one of four points that the City Council wanted addressed on remand.

#### **Address Transportation Issues:**

At the September 24, 2012 Planning Commission and November 5, 2012 City Council hearings, both legislative bodies found that the proposed Plan document and subsequent Plan Map amendments were consistent with applicable Statewide Planning Goals. However, the City Council asked for Staff to review the Plan's transportation findings as they pertain to the City's adopted Transportation System Plan (TSP) to ensure that there are no conflicts.

The City's TSP, as prepared by DKS Associates and adopted by the City Council February 6, 2006, identifies projects and programs needed to support the City's Goals and Policies and to serve planned growth over a period of 20 years. While this plan is the City's premier governing transportation document it can be revised and updated, as needed, through the amendment process provided by the Reedsport Land Usage Ordinance (RLUO). The changes proposed to the Waterfront and Downtown area of Reedsport are anticipated to increase traffic volumes; therefore, a supplemental analysis was conducted by Kittelson & Associates, Inc. for the downtown area.

Out of the 23 transportation improvements identified by Kittelson & Associates, Inc., only two of the improvements amended existing provisions contained in the City's TSP, the remaining improvements identified were all additions. The two changes are as follows:

1. The Waterfront and Downtown Plan proposes a change in the alignment of the Levee Loop Trail.
2. The Waterfront and Downtown Plan proposes to enhance pedestrian crossings at Highway 38 with additional refinements (i.e., bulb-outs at 5 intersections with a rapid flash beacons at 3<sup>rd</sup> street).

During the City Council hearing, Council members expressed concern with some of the proposed transportation projects, mainly the closure of 2<sup>nd</sup> Street and realignment of Elm Street with levee Gate 6. While, if approved, these projects would be added to the City's TSP, they only serve as recommendations of the traffic engineer and are subject to update or amendment via RLUO Section 10.60 at any point in the future.

#### **Improve Readability of the Plan Document**

At the November 5, 2012 City Council hearing, the Council found the document to be confusing to use and difficult to read. On remand they directed the Planning Commission to review the document and make improvements. On December 17, 2012 the Planning Commission held a public meeting with a workshop to discuss improvements. During the workshop the Commission discussed ways to improve the readability of the document. The outcome of the work session was that the Commission recommended Staff find a way to:

1. Modify the document so that sections are easily identified
2. Remove extraneous information not germane to the approved plan
3. Enlarge maps for readability
4. Provide individual descriptions of maps

The corrections have been made as specified in the workshop.

### **Implement New Commercial Live/Work Mixed Use Zone (CMU)**

At the December 17, 2012, Planning Commission workshop Staff presented the Commission with a Mixed Use Zone template and asked the Commission what adaptations needed to be made to make the zoning representative of the downtown area. Based on the recommendations of the Commission, a Reedsport Mixed Use Zone was created.

The proposed mix use zone meets the intent of the Reedsport Waterfront and Downtown Plan and is consistent with Reedsport Comprehensive Plan.

### **Address Zone Map Amendments**

In the remand, the City Council requested the Planning Commission incorporate the zone amendments necessary to implement the Waterfront and Downtown Plan, less the Knife River property. The Knife River property will require the City to address the Estuary (Goal 16) and Shorelands (Goal 17) Statewide Planning Goals; a process that the City is not completing at this time.

### **NEW COMMENTS RECEIVED:**

After the Planning Commission's public hearing, new comments were received for the City Council's consideration. These include:

**Charles Wade** responded with concerns over property values.

- Wade owns property in the area planned for the new CMU designation. Wade's property is currently planned and zoned Commercial (C-2). The new CMU zone will offer Wade greater flexibility in developing his parcel and will provide for orderly and attractive development in areas surrounding.

**Richard, Rick, Linda and Katrina Rochon** responded with concerns over the ability to sell their property and potential restrictions on future development.

- The rezoning of the area described in the Rochon's letter is considered a down zoning. To the effect that the rezoning would remove a portion of Light Industrial land from the Reedsport industrial land inventory which is negligible in the context of the current amount of existing vacant or underdeveloped Light Industrial land currently available for use in Reedsport.
- While preexisting uses would be allowed to continue post rezoning, most, if not all of the current uses fit within the proposed Commercial zone. Industrial uses such as manufacturing and processing conflict with the intent of the Waterfront and Downtown Plan to improve the aesthetics of the Highway 38 corridor.

The policies and recommendations set forth in the proposed Plan are intended to help retain existing industry and stimulate greater economic activity. The Plan proposes a new mixed-use designation for certain parcels where greater development flexibility is desired, and retains Industrial designations for key maritime industrial sites. It also highlights key redevelopment opportunities. These opportunities represent untapped development potential within the Plan area.

The amendment will serve to enhance the waterfront and downtown area. The properties subject to the zoning amendments are mainly zoned for industrial use. The zone changes outlined are a down zoning from the City's industrial zone; therefore, the proposed rezoning will actually reduce the impacts to adjacent lands while serving to promote more attractive development.

There are no direct costs to the City to adopt the proposed comprehensive plan amendments. All recommendations and projects proposed in the Reedsport Waterfront and Downtown Plan are voluntary and are not required. Any future expenditure associated with implementation of the plan would need Council review and approval prior to taking action.

Mayor Tymchuk asked if there are any people that wish to speak in opposition of the adoption of the Reedsport Waterfront and Downtown Plan.

Mrs. Karen Olsen of 141 Elm, Reedsport said that she was in opposition of a zone change at her location. It was clarified that her address would not be affected. She also voiced opposition to the recommended closure of 2<sup>nd</sup> Street.

City Manager Jonathon Wright said that the closure is a recommendation only and there would have to be a need and the Council would have to address the closure at that time.

Mr. Charles Wade again expressed his opinion in opposition of the zone change of his home.

Mr. Merle Hausmann spoke in opposition of the zone change of his block to a C-2 from Light Industrial. He said that he understands that what he is operating now is fine but he is looking to the future for his family.

City Manager Jonathan Wright explained that while Mr. Hausmann's property would be subject to what is considered to be a down zoning, all of the current uses would be allowed in the new zone. He also explained that current uses that are not allowed under the new zone would be allowed to continue but no new uses that are not allowed could be developed.

Mayor Tymchuk asked if there were people that would like to speak in favor of adopting the plan.

Mr. Allen Teitzel spoke in favor of adopting the plan on behalf of the Planning Commission. He said that he is also not in favor of closing 2<sup>nd</sup> St. but would like to leave that option open for further discussion.

Mr. Wright explained that these zone change recommendations are not set in stone. He said that if some industry or venture came into Reedsport that would help the local economy and fit into what the City's goals are, he would do his best to encourage that venture to develop in Reedsport.

Mayor Tymchuk closed the public hearing at 8:36pm.

Councilor Mike Macho motioned to adopt Ordinance 2013-1119 as presented.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council adopt Ordinance 2013-1119 as presented.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

4. 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 March 4, 2013.
- B. Approve minutes of the regular session of March 4, 2013.
- C. ~~Shall the City Council adopt a Resolution approving a Condemnation Agreement for property located at 1241 Highway Ave., Reedsport, Or 97467? Item moved to General Business.~~
- D. Shall the City Council renew a lease for the Sr. Center to Douglas County Health and Social Services for the purposes of preparing and serving meals for seniors?

Each year the City of Reedsport and Douglas County Health & Social Services Department enter into a contractual agreement for use of the Senior Center kitchen and dining area to serve meals to Senior Citizens. This is a shared lease with the food contractor Compass USA dba Bateman Food Services.

An increase of 4% a month was negotiated for the 2013/2014 fiscal year. The current rate for Douglas County would be \$320.00 per month. Combined with a lease payment of \$300.00 per month from Compass USA, this is a comparable rental amount for dining site leases in Douglas County. Attached is a copy of the proposed lease.

**\*1. Renew a lease for the Sr. Center to Douglas County Health and Social Services for the purposes of preparing and serving meals for seniors.**

E. Motion to approve the Consent Calendar.

Councilor Diane Essig 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 1

(Mayor Keith Tymchuk, Councilor Murphy, McCollum, Essig, Wall-Meyer and Macho voted in favor of the motion.)(Councilor Barth voted in opposition)

Mayor Tymchuk declared the motion passed unanimously.

**5. GENERAL BUSINESS**

A. Shall the City Council award a contract for library circulation desk?

The Library building has undergone renovation with the completion to date of new exterior siding, replacement windows, six additional windows installed along two walls, a new solarium, ADA compliance restrooms, energy efficient interior light fixtures and recovered library chairs. All of this has been due to a group of concerned citizens who formed a Library Renovation Committee and joined forces with Coastal Douglas Arts Business Association (CDABA) to conduct fund raising and grant writing to complete the Library renovation project. This group has been successful in raising the necessary resources for the Library renovation project.

The Library Executive Renovation Committee elected to hire architect Lon Samuels to obtain quotes for the library circulation desk. A request for quotes was submitted to the four national companies which offer library furnishings.

The proposals were reviewed on February 27, 2013 at the Reedsport Branch Library with four quotes received for the project.

1. Gaylord Brothers	\$9,999.00
2. The Library Store	\$10,846.78
3. Demco Interiors	\$12,175.17
4. BroDart Library Supplies & Furnishings	\$13,343.20

Lon Samuels has reviewed the proposals and recommends that a contract be awarded to Gaylord Brothers. See attached letter of recommendation.

\$9,999.00 is the low bid with the funds being paid from the Library Renovation Fund.

Library Renovation Fund currently has a balance of \$74,170.00. The replacement of the circulation desk is a budgeted item in this fund.

Councilor Diane Essig motioned to award the contract to Gaylord Brothers for \$9,999 as recommended by Architect Lon Samuels for the purchase of the library circulation desk.

Councilor Linda McCollum seconded the motion.

**MOTION:**

that the City Council award the contract to Gaylord Brothers for \$9,999 as recommended by Architect Lon Samuels for the purchase of the library circulation desk.

**VOTE:**

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

- B. Shall the City Council reinstate the wastewater rate increase structure as outlined in Resolution 2010-023 beginning July 1, 2013?

Finance Officer Vera Koch said that at the January 7, 2013 City Council Meeting, the City Council adopted Resolution 2013-002 which provided for quarterly evaluation of the wastewater rate increases needed to meet debt repayment obligations, build and maintain operations, schedule capital replacements and build emergency reserves per recommendations of a Financial Capacity Analysis Report and Rate Study completed by Rural Community Assistance Corporation (RCAC).

During the budget development process, staff has prepared an evaluation for the upcoming fiscal year with current information available. The information used in preparing future costs is estimated based on current expenditure costs and trends. Some nominal cost of living

increases have been calculated into the Operations & Maintenance estimations. Not addressed are large cost increases in items such as chemicals which the utilities are experiencing this fiscal year.

Table 1 is a “no rate” increase projection for the next seven years. It is also assuming that Gardiner Sanitary District will continue as a customer to the Reedsport Wastewater Treatment Plant. If this does not occur, Capital Improvements will be decreased by \$76,000 yearly. The two variable lines in the tables are Revenue and Capital Improvement categories. Capital Improvements are financed by wastewater utility revenue funds which are not consumed in the operations & maintenance and debt repayment.

Table 1. No Rate Increase

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Revenue</b>	<b>\$2,443,000</b>	<b>\$2,064,500</b>	<b>\$2,066,300</b>	<b>\$2,065,800</b>	<b>\$2,066,300</b>	<b>\$2,066,300</b>	<b>\$2,065,800</b>
O&M	\$676,960	\$684,795	\$721,340	\$731,192	\$741,361	\$755,903	\$767,265
Reserve	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000
Debt/Transfers	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400
<b>Capital Improvement</b>	<b>\$540,640</b>	<b>\$118,305</b>	<b>\$83,560</b>	<b>\$73,208</b>	<b>\$63,539</b>	<b>\$48,997</b>	<b>\$37,135</b>

Table 2 was developed with a flat rate increase of \$12.00 beginning July 1, 2013 and a \$3.00 base rate increase for metered users and an additional \$3.00 per year increase in accordance with Resolution 2010-023. Again this projection is assuming Gardiner Sanitary District continues as a customer and in the event they do not then \$76,000 will be decreased from funds available for Capital Improvements.

Table 2. Rate Increase

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
<b>Revenue</b>	<b>\$2,669,000</b>	<b>\$2,294,500</b>	<b>\$2,329,300</b>	<b>\$2,350,800</b>	<b>\$2,376,300</b>	<b>\$2,402,300</b>	<b>\$2,415,800</b>
O&M	\$676,960	\$684,795	\$721,340	\$731,192	\$741,361	\$755,903	\$767,265
Reserve	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000
Debt/Transfer	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400
<b>Capital Improvement</b>	<b>\$730,640</b>	<b>\$348,305</b>	<b>\$346,560</b>	<b>\$358,208</b>	<b>\$373,539</b>	<b>\$384,997</b>	<b>\$387,135</b>

The wastewater utility fund is currently meeting its requirements and is carrying a \$400,000 carryover accumulated over the last few years. The carryover is budgeted to be transferred to the Capital Improvement Fund 024 in the 2013-14 fiscal year. As shown by Table 1, future capital improvement will be decreasing yearly.

As stated in Resolution 2013-002, a decision to suspend or reinstate all or part of the current wastewater fee increases, set out in Resolution 2010-023, shall be based on periodic financial evaluation of the City’s wastewater fund to be conducted quarterly by the City’s Finance Director. Upon evaluation of said fund, the Finance Director shall, as needed, make findings, conclusions and recommendations which either allow the City Council to defer rate increases or obligate the City Council to reinstate all or part the fee increases, consistent with the rate schedule of Resolution 2010-023, in order for the City to meet its operational and debt obligations. A decision to suspend or reinstate wastewater rate increases shall be a City Council

action effective upon passage by majority vote of the Council. The Council may opt to postpone the fee increases to a date certain.

The wastewater fund is currently meeting its budget requirements. Several components impact the City's financial ability to meet future requirements. Revenue stream can either increase or decrease depending on flat rate users changing to metered users and sales of services to outside customers. In addition the cost of operations & maintenance increases yearly and capital replacement reserves may not be adequate to meet needs within the next 10 years. If rates are not increased in the future, projections indicate the fund will not be able to meet its obligations; therefore, the policy proposed will allow the City Council the flexibility to temporarily defer fee increase until it is no longer economically feasible to postpone or until other circumstances warrant a longer term suspension.

Councilor Diane Essig motioned to suspend the wastewater rate increase and re-address in the October 2013 Council meeting with an updated revenue and expenditure projections, allowing for a discussion period prior to the January 2014 Council Meeting.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council Suspend the wastewater rate increase and re-address in the October 2013 Council meeting with an updated revenue and expenditure projections, allowing for a discussion period prior to the January 2014 Council Meeting.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

- C. Shall the City Council adopt a Resolution supporting the renewal of the Lower Umpqua Enterprise zone?

City Manager Jonathan Wright said that the City of Reedsport first became a member of the Lower Umpqua Enterprise Zone 1994. The zone includes most of Reedsport, parts of Gardiner and Winchester Bay. The purpose of the zone is to encourage businesses to make new or additional investments that will improve employment opportunities, spur economic growth and diversify business activities.

The primary benefit, to a qualifying business, is potential tax abatement for up to five years. Eligible business includes manufacturers, processors, shipping and a variety of operations that serve other organizations, as well as call centers and headquarter type facilities. Ineligible businesses include retail, construction and financial operations.

This matter was presented to Council by Tracy Loomis, from CCD Business Development Corporation, at the January 7, 2013 City Council meeting. At that meeting the Council voiced that they would support the renewal of the Enterprise Zone. This resolution is the next step in the renewal process. The Port of Umpqua has already signed a resolution vowing their support and the County is to do the same later this month.

There is no fiscal impact rather the City would simply not realize tax review for a qualifying project until after the abatement period ends.

Councilor Frank Barth motioned to adopt Resolution 2013-008 to apply for the re-designation of the enterprise zone within Reedsport.

Councilor DeeDee Murphy seconded the motion.

MOTION:

that the City Council adopt Resolution 2013-008 to apply for the re-designation of the enterprise zone within Reedsport.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

D. Shall the City Council adopt a Resolution approving a Condemnation Agreement for property located at 1241 Highway Ave., Reedsport, Or 97467?

City Manager Jonathan Wright said that approximately a year ago the City of Reedsport was approached by a real estate agent representing Unocal Corporation concerning a parcel of land that has been on the market in Reedsport for some time. The property was originally associated with a service station and at one time contained contaminated soil. The property has since been cleaned up and given a bill of health from the Department of Environmental Quality, the only exception being no residential structures. The property is currently in a Commercial zone and contains multiple entrances to Highway 101; however due to the irregular shape there has been little interest in the property. The original asking price was \$80,000. In the fall of this year the City received notice that the sale price of the property was being cut to \$40,000.

The property is located on the north side of Hwy 101 and is in blighted condition with a blown down fence, overgrown weeds and garbage. In a meeting of the Urban Renewal Committee, the question of purchase via a friendly condemnation was broached by Staff. The Committee felt that acquiring, cleaning up and converting the property to enhanced open space for public use or for providing it for commercial use, would be a benefit to the community. The Committee authorized Staff to negotiate the purchase of the property at a cost not to exceed \$30,000.

An offer of \$15,000 was subsequently submitted and accepted. The Urban Renewal Agency met on January 7<sup>th</sup>, 2013 and approved the sale to be completed by condemnation proceedings of the City Council.

Steve Miller, City Attorney, has prepared a Resolution and Condemnation Agreement for the City Council's consideration.

An amount of \$15,000 has been agreed on as the sale price between the seller and the City. Fees associated with receiving the property through the condemnation agreement process are approximately \$900.

Councilor Frank Barth asked if this was an appropriate use of Urban Renewal District Funds. He said that he is not in favor of removing property from the tax rolls. The total taxes paid last year was \$998.

Councilor Mike Macho motioned to adopt a Resolution initiating a condemnation and approve a Condemnation Agreement which will transfer ownership of property located at 1241 Highway Ave., Reedsport, OR 97467 (Tax Lot 2200) to the City of Reedsport.

Councilor DeeDee Murphy seconded the motion.

MOTION:

that the City Council adopt a Resolution initiating a condemnation and approve a Condemnation Agreement which will transfer ownership of property located at 1241 Highway Ave., Reedsport, OR 97467 (Tax Lot 2200) to the City of Reedsport.

VOTE:

AYES 6 NAYES 1

(Mayor Keith Tymchuk, Councilor Murphy, McCollum, Essig, Wall-Meyer and Macho voted in favor of the motion.)(Councilor Barth voted in opposition)

Mayor Tymchuk declared the motion passed.

- E. Shall the City Council adopt a Resolution 2013-009 authorizing application for a local government grant from the Oregon Parks and Recreation Department for development of Rainbow Plaza and delegating authority to the City Manager to sign the application?

City Manager Jonathan Wright said that an opportunity to apply for a grant to fund the development of the Rainbow Plaza Project has presented itself. Each year the Oregon Parks and Recreation Department opens an application period for funding local parks and recreation projects. Due to the timeframe of the application process it was determined that a need to add a resolution of support to the agenda was needed.

He said that there are two categories of grant funding, small (\$50,000 and less) and large (maximum of \$750,000). A local match is required for cities with a population of less than

5,000. If a grant was awarded for the maximum amount, the City's share would be approximately \$150,000.

Project sponsor match may include local budgeted funds, local agency labor or equipment, other eligible grants, materials and costs of pre-agreement planning costs or a combination thereof. Staff anticipates costs associated with the Rainbow Plaza Concept Plan, the Rainbow Plaza Phasing plan and a portion of the Reedsport Waterfront and Downtown plan including staff and Council time, could be used towards a portion of the match. The remaining amount will be made up of labor, materials and services the City may be able to provide and potentially an appropriation of Urban Renewal money, pending approval of the Urban Renewal Agency.

If the full grant amount was awarded the proposed project would include Phase 1, Phase 2A, Phase 3A and Phase 3B. It has been recommended that Phases 2B and Phase 4 which consist of the asphalt, concrete and paving portion of the parking area and streets be completed in the future due to the costs associated.

Once complete, the Rainbow Plaza will be a multi-use outdoor area that will serve as the hub for City recreation and events. When not in use, the area will also serve as an overflow parking area for the waterfront. The plaza project ties into a recreational definition due to the many different types of outdoor events it can facilitate (i.e., festivals, celebrations and even music venues) enhanced with green spaces, walking paths and proximity to the riverfront and water related outdoor activities. In the future, the Plaza will serve as a beginning point for the levee loop trail.

Staff anticipates there will be no fiscal impact to the City of Reedsport budget.

Councilor Diane Essig motioned to adopt a Resolution 2013-009 authorizing application for a local government grant from the Oregon Parks and Recreation Department for development of Rainbow Plaza and delegating authority to the City Manager to sign the application.

Councilor Linda McCollum seconded the motion.

**MOTION:**

that the City Council adopt a Resolution 2013-009 authorizing application for a local government grant from the Oregon Parks and Recreation Department for development of Rainbow Plaza and delegating authority to the City Manager to sign the application.

**VOTE:**

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

**6. MISCELLANEOUS ITEMS**  
*(Mayor, Councilors, City Manager, City Attorney)*

Caryn Kaufmann was recognized as employee of the month for her 30 years of service to the City of Reedsport.

7. EXECUTIVE SESSION OF THE REEDSPORT CITY COUNCIL, FEBRUARY 4, 2013  
CITY HALL COUNCIL CHAMBERS.

PRESENT: Mayor Keith Tymchuk, Councilors Frank Barth, DeeDee Murphy,  
Linda McCollum, Kathi Wall-Meyer, Diane Essig, and Mike Macho

City Manager Jonathan Wright

Attorney Steve Miller

OTHERS PRESENT: Deanna Schafer, Vera Koch, Steve Lindsey (Umpqua Post)

Pursuant to ORS 192.660(2)(d) – To conduct deliberations with persons designated to carry on labor negotiations.

Pursuant to ORS 192.660(2)(e) – To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Pursuant to ORS 192.660(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)(i) – To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

8. ADJOURN

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Mayor Keith Tymchuk

ATTEST:

\_\_\_\_\_  
Deanna Schafer, City Recorder