

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

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

OTHERS PRESENT: Vera Koch, Diane Novak, Sergeant Tom Beck (Interim Police Chief), Debbie McKinney, Deborah Yates, Suzy Wasson, Connie Baldwin, Leif Highland

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

3. APPROVAL OF THE AGENDA

Councilor Kathi Wall-Meyer motioned to approve the agenda.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council approve the agenda.

VOTE:

AYES 7 NAYES 0

(Mayor Keith Tymchuk, Councilors Barth, Murphy, Essig, McCollum, Turner and Wall-Meyer 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 work session of September 9, 2013.
- B. Approve minutes of the regular session of September 9, 2013.
- C. Motion to approve the Consent Calendar.

A correction was made to remove Councilor Essig from motions made in the September 9, 2013 regular session.

Councilor Diane Essig motioned to approve the agenda.

Councilor DeeDee Murphy seconded the motion.

MOTION:

that the City Council approve the agenda.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

6. GENERAL BUSINESS

- A. Shall the City Council approve a new lease agreement for the Schooner Café located at 423 Riverfront Way?

As part of the Riverfront Revitalization project the City of Reedsport acquired a small portion of riverfront property for development. This property was subsequently developed and a 40' x 50' pier was constructed to accommodate the Schooner Café building owned by Suzy and Ray Wasson. The City entered into a long-term lease with the Wasson's for this property.

The original lease expired on August 15th of 2013 and a new lease has been drafted, extending the expiration for ten years ending on August 16th, 2023. The new lease mirrors the old one with the exception of eliminating some language that is no longer applicable.

Suzy and Ray Wasson have been contacted and they are in agreement with the new lease.

Due to the economic climate and other leases the City holds, the terms of the lease remain the same at \$275.00 a month but leave the City the ability to adjust the lease from time to time base on current market conditions while using the Consumer Price Index for Portland as one of the factors.

The Schooner Café lease provides an annual rent income of approximately \$3,300.00.

Councilor Frank Barth motioned to approve a new lease to the Suzy and Ray Wasson for a period of ten years and authorize the Mayor to sign on of behalf of the City.

Councilor Diane Essig seconded the motion.

MOTION:

that the City Council approve a new lease to the Suzy and Ray Wasson for a period of ten years and authorize the Mayor to sign on of behalf of the City.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

- B. Shall the City Council adopt an Ordinance creating vacant building regulations and remedies and amending the Reedsport Municipal Code assigning 2013-1125 as the title?

The Oregon Legislative Assembly regular session of 2013, enacted provisions (House Bill 2662) that prohibit owners of foreclosed properties from neglecting said properties during vacancy. This provision allows local governments to assess civil penalty for each day during which the owner fails to remedy conditions of neglect. Currently, when a property is foreclosed and found to be in violation of City Municipal Code provisions (e.g., tall grass and weeds, accumulated waste, etc) the bank is notified of the issue by certified mail; however, rarely do these notifications elicit a response. Many of these houses end up being maintained by City Staff to mitigate potential fire hazards. House Bill 2662 forces banks to post the contact information of a person who is accessible by City Staff and the general public in a location that can be viewed from the exterior of the vacant residence.

Staff has expanded on the provisions set out in the House Bill to include all vacant properties within the City; thereby, providing provisions for the regulation of derelict residential, commercial and industrial properties. Further, owners (whether bank or private) will have to inspect properties regularly ensuring compliance with municipal code provisions and keep a inspection log that shall be made available to City Staff upon request. Out of town owners will be required to procure a local representative thereby insuring compliance with the provisions of this ordinance.

Fees for registering a vacant property would be set by resolution to cover the cost of the applications review regulation and enforcement.

Councilor Linda McCollum motioned to adopt an ordinance as presented regulating vacant buildings and assign 2013-1125 as the title.

Councilor DeeDee Murphy seconded the motion.

MOTION:

that the City Council adopt an ordinance as presented regulating vacant buildings and assign 2013-1125 as the title.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

- C. Shall the City Council approve a Traffic Safety Committee recommendation to create an Ordinance extending the resident parking on Laurel Ave to both sides of the road along the 800 and 900 blocks?

City Manager Jonathan Wright said that the City of Reedsport Traffic Safety Committee received a petition from five (5) residents on Laurel Ave. stating that traffic overflow from the Harbor Light Restaurant is causing a safety issue as "most of that overflow ends up parking the wrong way on the street and blocking the stop sign at 9th and Laurel." They propose that parking on both sides of the road be limited to residents of Laurel Ave. only. Please see attached petition. The Traffic Safety Committee agreed and recommended that Council pass an Ordinance amending Section 5.20.125, making the entire area of the 800 and 900 blocks of Laurel Ave. limited to resident parking only.

The 800 and 900 blocks of Laurel Ave. are designated as a Commercial district in the City's Comprehensive Plan and Land Use Ordinance. According to the City's Transportation System Plan (TSP), this section of Laurel Ave is designated as a Local Access Road. The design criteria for local access road requires a minimum of 28 feet of road surface (i.e., ten (10) foot wide travel lanes and eight (8) foot wide parking areas). Currently the roadway width of Laurel Ave. is between 26-27 feet making it substandard for a Local Access Road.

Transportation practices recommend the elimination of on street parking on both sides of the street in order to comply with the City's Local Access Road standards; however, two years ago City Council passed an Ordinance restricting parking to residents in front of three properties on the south side of the road; therefore, it would only be appropriate to eliminate off street parking on the north side of Laurel Ave. Currently, there is only one resident on the north side of Laurel and, as cited in the petition, the primary safety concern is with people parking in front of the stop sign on that side. Therefore staff recommends the elimination of parking on the north side of Laurel Ave. in lieu of the Traffic Safety recommendation of a residential parking restriction.

The cost to purchase and install four no parking signs is about \$380.00 which could come from the Street Fund.

Ms. Laurie Serang owner of the Harbor Lights restaurant located at 930 Highway Ave. which backs up to the end of the street spoke in opposition of the proposed “residential only” parking on Laurel Ave. She said that her employees use the street for three months of the year for overflow parking. She refutes the amount of violations claimed. She said that she has seen no safety issues. Ms. Serang suggested marking the area with no RV parking.

Council discussed the option of making the street a one-way street but there was no consensus to move to that at this time. More research is needed.

City Manager Jonathan Wright said that one option would be to paint no parking lines 20’ from the stop sign, making it more visible.

Council agreed that that should be done. No motion made.

D. Shall the City Council accept an \$87,000 TGM grant for the development of a levee trail master plan?

Assistant Planner Jessica Terra said that this item is a request to accept a grant from the Transportation and Growth Management program to complete a Levee Trail System Master Plan. The TGM program offers grants to assist local communities with land use and transportation planning. In 2011, the City received a TGM grant to help complete the Reedsport Waterfront and Downtown Plan (RWDP). That plan identified the need for a Levee Trail System and on June 18, 2013 the Reedsport Planning Commission voted to submit an application to TGM for the development of a Levee Trail System Master Plan. On September 13, 2013, TGM awarded the grant to the City of Reedsport. Grant acceptance is required before October 24, 2013 in order to proceed with the project.

The Levee Trail System Master Plan would explore the viability of creating a multi-use pathway that utilizes the existing levee system embankment and connecting roads. This project has been recognized by the Planning Commission, Master Bicycle Plan, Transportation System Plan, and the Reedsport Waterfront and Downtown Plan, as being one of great importance.

The ultimate goal and expected outcome of the Levee Trail System Master Plan is to create an improved, expanded multi-use pathway atop the existing levee system, which would alleviate the impact on the highway systems by giving walkers, joggers, hikers, dog-walkers, and bicyclists an alternative route from those Highways (101 & 38).

This Levee Trail System would encourage pedestrian safety by potentially removing users from walking along the State highway systems, while still allowing them to move from neighborhoods to grocery stores, gifts shops, restaurants, public facilities, boating and waterfront areas, and more. The trail system would also connect community members to parks and nature, providing for a healthier quality of life.

The Transportation and Growth Management Program requires a 12% match. The total budget for the Plan is \$87,000 and the City’s expected contribution is \$11,000 in cash or in-kind materials or services. The Bicycle and Footpath Fund has a budget of \$37,750 (FY13-14). A portion of those funds could be used for the 12% grant match required of the City, for this project.

Councilor Frank Barth motioned to accept the Transportation and Growth Management grant and direct the City Manager to sign the acceptance document.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council accept the Transportation and Growth Management grant and direct the City Manager to sign the acceptance document.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

- E. Shall the City Council reinstate the wastewater rate increase structure as outlined in Resolution 2010-023 beginning January 1, 2014?

At the last quarterly evaluation of the wastewater rate review of April 1, 2013, Council requested a review again at the October meeting. The wastewater review is based on the January 7, 2013 adopted Resolution 2013-002 which provided for quarterly 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 prepared an evaluation with current information available at that time. 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.

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. The first column reflects unaudited actual expenses/revenue for fiscal year ending June 30th. The ending fund balance of 2012 2013 column was included for the 2013 2014 revenue estimation.

Table 1. No Rate Increase

	2012-2013 Actual	2013-14 Estimate	2014-15 Estimate	2015-16 Estimate	2016-17 Estimate	2017-18 Estimate	2018-19 Estimate	2019-20 Estimate
Revenue	\$2,347,850	\$2,443,000	\$2,064,500	\$2,066,300	\$2,065,800	\$2,066,300	\$2,066,300	\$2,065,800

O&M	\$559,670	\$676,960	\$684,795	\$721,340	\$731,192	\$741,361	\$755,903	\$767,265
Reserve	\$224,450	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000
Debt/Transfers	\$946,190	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400	\$1,066,400
Capital Improvement	\$185,460	\$540,640	\$118,305	\$83,560	\$73,208	\$63,539	\$48,997	\$37,135
Ending balance	\$432,080							

The wastewater utility fund is currently meeting its requirements. 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 is estimated to decrease 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 Frank Barth motioned to suspend the wastewater rate increase and re-address no later than June 2, 2014 Council meeting with an updated revenue and expenditure projections, allowing for a discussion period prior to the budget preparation.

Councilor Diane Essig seconded the motion.

MOTION:

that the City Council approve the agenda.

VOTE:

AYES 7 NAYES 0

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

Mayor Tymchuk declared the motion passed unanimously.

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

Employee of the month. City Manager said that the Fire Department has nominated Mr. Randy Ellington for his outstanding work ethic in regards to the fire department equipment.

Police Chief Recruitment update. City Manager Jonathan Wright said that the City received 16 applications from highly qualified candidates.

8. EXECUTIVE SESSION OF THE REEDSPORT CITY COUNCIL, OCTOBER 7, 2013
CITY HALL COUNCIL CHAMBERS.

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

City Manager Jonathan Wright

Attorney Steve Miller

OTHERS PRESENT: Diane Novak, Vera Koch, Tom Beck

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)(h) To evaluate the performance of the Chief executive officer of the public body, who does not request an open hearing.

9. ADJOURN

Mayor Keith Tymchuk

ATTEST:

Deanna Schafer, City Recorder