

MINUTES OF THE REEDSPORT CITY COUNCIL REGULAR SESSION AUGUST 4, 2014 7:00 P.M. CITY HALL COUNCIL CHAMBERS

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

OTHERS PRESENT: Vera Koch, Deanna Schafer, Lee Bridge, Rich Patten, Allen Teitzel, Chief Duane Wisehart, Joel Smith

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 Diane Essig motioned to approve the Agenda.

Councilor Kathi Wall-Meyer seconded the motion.

MOTION:

that the City Council approve the Agenda.

VOTE:

AYES 7 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

4. PUBLIC HEARINGS

None

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 July 7, 2014.
- B. Approve minutes of the regular session of July 7, 2014.

Councilor Diane Essig motioned to approve the Consent Agenda.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council approve the Consent Agenda.

VOTE:

AYES 7 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

6. GENERAL BUSINESS

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

City Manager Jonathan Wright said that due to the resignation of Mr. Jim Thomas there is an opening on the City of Reedsport Planning Commission. Position #2 is a partial term and will have an expiration date of December 31, 2016. There is also a vacant position, Position # 7 that has not been filled this year that will have an expiration date of December 31, 2017.

Mr. Jesse Jackson has expressed an interest in serving on the Commission.

Councilor Diane Essig motioned to appoint Mr. Jesse Jackson to fill Reedsport Planning Commission Position # 7 with an expiration date of December 31, 2017.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council appoint Mr. Jesse Jackson to fill Reedsport Planning Commission Position # 7 with an expiration date of December 31, 2017.

VOTE:

AYES 7 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

- B. Shall the City Council adopt a resolution setting forth amendments to the City of Reedsport Charter of 2006 allowing voters to decide matters of rates or tax as of January 1, 2014?

City Manager Jonathan Wright said that since 1997, 122 measures failed due to the State's double majority requirement, 61 of the measures would have passed even if all of the nonvoters had turned out and cast a "no" ballot. This issue is especially problematic for small municipalities who struggle each election to get voters to participate. In 2007, this issue prompted the legislature to take action and propose a measure to eliminate the voter turnout requirements for local property tax and bond measures decided in May and November. In 2008, this measure was put before the voters as Measure 56 and passed.

In 2012, the Reedsport City Charter was amended Ballot Measure 10-119. This measure included the more restrictive pre Measure 56 language requiring a double majority on all fees, utility rates and taxes. The only time this restriction would not apply is in a "general election on an even numbered year." In other words, the City gets a pass on the restriction every two years. Under Oregon State Statute, fees, rates and certain taxes do not require a vote of the people; making this requirement unique to Reedsport. While it is not the intent of Staff to undermine the intent of 10-119 (Voter Approval) In a community that struggles with voter turnout, the double majority provision makes conducting necessary business problematic.

The issue came to light last May when the City proposed ballot measure 10-133. This measure proposed to use saving from refinancing the City's DEQ loan and apply it to the Stormwater rates in order to begin the mandated levee certification process for FEMA. This measure would also allow the Council to maximize savings from refinancing and ensure that the City can continue to meet its debt obligation. The measure passed with a strong majority; however fell short of the double majority requirement.

With the assistance of legal counsel, Staff now proposes a resolution that, if approved, will refer a question to the voters in order to eliminate the double majority provision from Article 45 of the Reedsport Charter.

If passed by the voters the City Council will be able to take advantage of significant savings via the DEQ loan refinance process.

Councilor DeeDee Murphey motioned to adopt a resolution referring a question to be voted upon by the people of Reedsport and assign 2014-017 as the title.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council adopt a resolution referring a question to be voted upon by the people of Reedsport and assign 2014-017 as the title.

VOTE:

AYES 7 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

- C. Shall the City Council issue an intent to award a contract for the Bowman Road paving project?

City Engineer, Joel Smith said that the Oregon Department of Transportation (ODOT) administers the Small Cities allotment (SCA) program wherein cities under 5,000 populations are allocated up to \$50,000 on a competitive basis for street repair or reconstruction. Projects are scored on the basis of traffic volume, surface condition, population growth, and years since last project. In the past, Reedsport received SCA funding for Frontage Road, 16th and Hawthorne Avenue, the 10th Street Rehabilitation project, Longwood Drive, Ranch Road, 14th Street and most recently Winchester Avenue sidewalks at the Rail Road crossing to being constructed currently.

This year the City has been awarded a SCA grant for the purpose of repaving of Bowman Road, its entire length from Longwood to Arthur Drive. If funds allow, two additional items have been added to the project, ADA Compliant Access Ramps meeting current standards and 1,100 square yards of AC overlay on South Hill Dr.

The project was put out to sealed bid pursuant to ORS 279 and bids were opened on July 31, 2014, with myself, Councilor Barth, City Recorder Deanna Schafer and City Manager Jonathan Wright present.

The estimated project cost for repaving Bowman Road is \$90,000 to \$100,000 with the Small Cities Allotment of \$50,000 the City of Reedsport share would be \$40,000 to \$50,000.

The lowest bid submitted was Knife River Materials:

Schedule A. \$101,685.00

Schedule B. \$ 18,794.75

Schedule C. \$ 37,660.00

Total of all schedules \$158,139.75

If awarded all schedules, Knife River proposed a deduction of \$3,075.00 for a project total of \$154,064.75.

Councilor DeeDee Murphey motioned to issue an Intent to Award a contract for the Bowman Road paving project to Knife River Materials for an amount not to exceed \$158,139.75.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council issue an Intent to Award a contract for the Bowman Road paving project to Knife Rivers Materials not to exceed \$158,139.75.

VOTE:

AYES 7 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

- D. Shall the City Council consider the permanent placement of chainsaw carvings in the downtown per a request from the Chainsaw Carving Committee?

City Manager Jonathan Wright said that during the recent Chainsaw Carving Event wooden carvings were temporarily placed on the sidewalks along the downtown area of Fir Avenue. Due to overwhelming positive response the Chainsaw Carving Committee (CCC) is asking that the carvings remain in these locations on a more permanent basis.

The City of Reedsport Parks and Beautification Committee met and unanimously supported the permanent placement of the carvings in the downtown area. They recommend that placement and maintenance guidelines be established. If allowed, the CCC will work with City staff to create a more permanent mounting base for them and will be responsible for the maintenance and upkeep.

Before the carvings are allowed to remain or mounting be improved, there is a permitting process that is required by the Oregon Department of Transportation. This entity has jurisdiction over most of the project area due to the sidewalks being within their right-of-way.

The City of Reedsport will need to enter into an inter-governmental agreement that governs placement, content and maintenance of "Art Work" in a public road system right-of-way. Local representatives have been consulted and they see no reason why the placement shouldn't be granted.

Other than the labor to assist in the placements, there is no financial impact to the City.

Councilor DeeDee Murphey motioned to allow the long term placement of chainsaw carvings in the downtown area and instruct staff to work with ODOT on permitting and the CCC on a maintenance agreement.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council motioned to allow the long-term placement of chainsaw carvings in the downtown area and instruct staff to work with ODOT on permitting and the CCC on a maintenance agreement.

VOTE:

AYES 7 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

E. Receive Quarterly Financial Report.

City Finance Director Vera Koch presented the following financial report:

2013/ 2014 Financial Report			target %
Presented AUGUST 4, 2014			received/spent
<u>FOURTH</u> Quarter of fiscal			by end of 12th month
year 2013/2014			of
For period ending JUNE 2014			budget
(Actual totals are not final)			year
			100%
			Target %
General Fund 001			
	Budget	Actual	
Beginning Fund Balance	\$650,000	\$838,681	129.03%
Revenue	\$2,204,365	\$2,119,990	96.17% Received
*Expenditures	\$2,544,365	\$1,994,017	78.37% Expended
*(less unappropriated expenditures)			
Street Fund 002			
	Budget	Actual	
Beginning Fund Balance	\$140,000	\$140,181	100.13%
Revenue	\$264,400	\$285,358	107.93% Received
*Expenditures	\$404,400	\$343,219	84.87% Expended
*(less unappropriated expenditures)			
Water Utility Fund 003			

	Budget	Actual		
Beginning Fund Balance	\$60,000	\$208,337	347.23%	
Revenue	\$817,700	\$827,913	101.25%	Received
*Expenditures	\$877,700	\$744,099	84.78%	Expended
*(less unappropriated expenditures)				

Wastewater Utility 004

	Budget	Actual		
Beginning Fund Balance	\$600,000	\$616,531	102.76%	
Revenue	\$1,843,000	\$1,862,199	101.04%	Received
*Expenditures	\$2,443,000	\$2,127,251	87.08%	Expended
*(less unappropriated expenditures)				

Stormwater Utility Fund 005

	Budget	Actual		
Beginning Fund Balance	\$16,000	\$26,132	163.33%	
Revenue	\$93,450	\$96,242	102.99%	Received
*Expenditures	\$109,450	\$81,187	74.18%	Expended
*(less unappropriated expenditures)				

Bicycle/footpath Fund 007

	Budget	Actual		
Beginning Fund Balance	\$35,400	\$35,297	99.71%	
Revenue	\$2,350	\$2,562	109.02%	Received
*Expenditures	\$37,750	\$0	0.00%	Expended

Water SPWF Loan Debt Fund 010

	Budget	Actual		
Beginning Fund Balance	\$79,860	\$79,863	100.00%	
Revenue	\$22,890	\$22,969	100.35%	Received
*Expenditures	\$102,750	\$20,982	20.42%	Expended
*(less unappropriated expenditures)				

Water Filtration Debt/Reserve Fund 011

	Budget	Actual		
Beginning Fund Balance	\$11,100	\$11,110	100.09%	
Revenue	\$122,875	\$122,889	100.01%	Received
*Expenditures	\$133,975	\$122,774	91.64%	Expended
*(less unappropriated expenditures)				

Wastewater DEQ Loan Debt Fund 012

Budget	Actual
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Beginning Fund Balance	\$524,200	\$524,300	100.02%	
Revenue	\$824,000	\$852,217	103.42%	Received
*Expenditures	\$821,700	\$821,696	100.00%	Expended
*(less unappropriated expenditures)				

Wastewater OECD Loan Debt Fund 013

	Budget	Actual		
Beginning Fund Balance	\$100,150	\$100,265	100.11%	
Revenue	\$154,350	\$154,650	100.19%	Received
*Expenditures	\$154,250	\$154,247	100.00%	Expended
*(less unappropriated expenditures)				

Fire Equipment Fund 014

	Budget	Actual		
Beginning Fund Balance	\$100,000	\$108,407	108.41%	
Revenue	\$27,190	\$28,999	106.65%	Received
*Expenditures	\$127,190	\$7,544	5.93%	Expended
*(less unappropriated expenditures)				

Dunes NRA Fund 016

	Budget	Actual		
Beginning Fund Balance	\$80,000	\$84,649	105.81%	
Revenue	\$95,650	\$96,774	101.18%	Received
*Expenditures	\$175,650	\$79,880	45.48%	Expended
*(less unappropriated expenditures)				

Riverfront Fund 017

	Budget	Actual		
Beginning Fund Balance	\$31,705	\$47,566	150.03%	
Revenue	\$124,750	\$119,293	95.63%	Received
*Expenditures	\$156,455	\$121,334	77.55%	Expended

Library Renovation Fund 018

	Budget	Actual		
Beginning Fund Balance	\$60,000	\$60,517	100.86%	
Revenue	\$50	\$378	756.00%	Received
*Expenditures	\$60,050	\$28,597	47.62%	Expended

Sys. Development Fund Water 020

		Actual		
Beginning Fund Balance	\$70,000	\$70,142	100.20%	
Revenue	\$200	\$343	171.50%	Received
*Expenditures	\$70,200	\$0	0.00%	Expended

Sys. Development Fund Wastewater 021

	Budget	Actual		
Beginning Fund Balance	\$132,100	\$132,159	100.04%	
Revenue	\$500	\$647	129.40%	Received
*Expenditures	\$132,600	\$0	0.00%	Expended

System Development Fund Stormwater 022

	Budget	Actual		
Beginning Fund Balance	\$5,990	\$6,000	100.17%	
Revenue	\$20	\$29	145.00%	Received
*Expenditures	\$6,010	\$0	0.00%	Expended

Enterprise Cap. Improve. Fund -Sewer 024

	Budget	Actual		
Beginning Fund Balance	\$1,000,000	\$923,749	92.37%	
Revenue	\$513,790	\$516,622	100.55%	Received
*Expenditures	\$1,513,790	\$0	0.00%	Expended

General Capital Improve. Fund 025

	Budget	Actual		
Beginning Fund Balance	\$185,800	\$204,668	110.16%	
Revenue	\$189,710	\$189,664	99.98%	Received
*Expenditures	\$325,510	\$156,452	48.06%	Expended
*(less unappropriated expenditures)				

Street Capital Fund 026

	Budget	Actual		
Beginning Fund Balance	\$250,000	\$255,257	102.10%	
Revenue	\$173,810	\$174,865	100.61%	Received
*Expenditures	\$423,810	\$11,890	2.81%	Expended
*(less unappropriated expenditures)				

Storm Capital Fund 027

	Budget	Actual		
Beginning Fund Balance	\$100,260	\$100,308	100.00%	
Revenue	\$31,250	\$31,771	101.67%	Received
*Expenditures	\$131,510	\$0	0.00%	Expended
*(less unappropriated expenditures)				

Water Enterprise Capital Improvement Fund 029

	Budget	Actual		
Beginning Fund Balance	\$1,500,000	\$1,547,751	103.18%	
Revenue	\$73,660	\$77,282	104.92%	Received

*Expenditures	\$1,573,660	\$261,477	16.62%	Expended
*(less unappropriated expenditures)				

Reedsport Urban Renewal District. Fund 150

	Budget	Actual		
Beginning Fund Balance	\$243,000	\$247,884	102.01%	
Revenue	\$83,825	\$86,306	102.96%	Received
*Expenditures	\$326,825	\$25,341	7.75%	Expended

7. MISCELLANEOUS ITEMS

City Manager Jonathan Wright gave an update on the Public Works Director Position interviews.

8. EXECUTIVE SESSION

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

9. OPEN SESSION

F. Shall the City Council renew a contract for employment with City Manager Jonathan Wright?

Councilor Diane Essig motioned to renew a contract for employment with City Manager Jonathan Wright?

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council renew a contract for employment with City Manager Jonathan Wright?

VOTE:

AYES 7 NAYES 0

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

Mayor Keith Tymchuk declared the motion passed unanimously.

10. ADJOURN

Mayor, Keith Tymchuk

ATTEST:

Deanna Schafer, City Recorder