

MINUTES OF THE REEDSPORT CITY COUNCIL NOVEMBER 7, 2016 7:00 P.M.  
CITY HALL CONFERENCE ROOM

PRESENT:

Mayor Linda McCollum

Councilors Leslee Collier, Diane Essig, DeeDee Murphy,  
Frank Barth, Rich Patten and Debby Turner

City Manager, Jonathan Wright

City Attorney, Steve Miller

OTHERS PRESENT:

Jessica Terra, John Stokes, Deanna Schafer, Jessica Lloyd-Rogers, Jerry Schneider, Debbie McKinney, Deborah Yates, Sharon Barker, Darlene Ash, Lee Bridge, Kirk Collier, Tom Anderson, Harold Rose, Charles Dukovich, Victoria Lavallee, Faiza Serang

1. CALL TO ORDER

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.*

Ms. Sharon Barker spoke in opposition of Mike Wahl's shop addition on Bowman Road.

3. PRESENTATIONS, PROCLAMATIONS, AWARDS

Mayor Linda McCollum read a proclamation of annual distribution of Poppies by Veterans of Foreign Wars and a proclamation for 2016 National Rural Health Day.

Mayor Linda McCollum performed the swearing in of new police officer Tosh Tipton.

Mayor Linda McCollum performed the swearing in of new reserve police officer Jerry Clarke.

4. APPROVAL OF THE AGENDA

The agenda was amended to add the swearing in of a new reserve police officer.

Councilor Frank Barth motioned to approve the agenda as amended.

Councilor Leslee Collier seconded the motion.

MOTION:

that the City Council approve the Agenda as amended.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

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 October 3, 2016.
- B. Approve minutes of the regular session of October 3, 2016.
- C. Shall the City Council ratify the approval of a liquor license application at the Forest Hills Country Club?

An application for a new liquor license at 1 Country Club Dr, has been submitted by Ashley Guy and Chef John Lewis. They have secured a lease with the Board of the Country Club and would like to be open in December for Christmas Parties and such. They currently operate a restaurant in Lakeside, Oregon.

- D. Motion to approve the Consent Calendar.

Councilor Rich Patten motioned to approve the consent agenda.

Councilor Diane Essig seconded the motion.

MOTION:

that the City Council approve the consent agenda.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

7. GENERAL BUSINESS

- A. Shall the City Council approve a mutual aid agreement with the Siuslaw Valley Fire District?

City Manager Jonathan Wright said that Jim Langborg, Fire Chief, of the Siuslaw Valley Fire District has approached the Reedsport Volunteer Fire Department about partnering to increase both agency's capacity to respond to large events. Much like the existing mutual assistance agreement between the Reedsport Fire Department, Winchester Bay Fire Department and Gardiner Fire Department signed earlier this year, this agreement will provide guidance on how each entity would respond or request assistance from the other.

Councilor Debby Turner motioned to approve the Mutual Assistance Agreement with the Siuslaw Valley Fire District.

Councilor Frank Barth seconded the motion.

MOTION:

that the City Council approve the Mutual Assistance Agreement with the Siuslaw Valley Fire District.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

- B. Shall the City Council appoint a Municipal Court Judge to fill a vacancy?

City Manager Jonathan Wright said that as set forth in the Reedsport City Charter, the City Council has the authority to appoint a Municipal Court Judge.

The City presently has a presiding judge that has served in this capacity for over four years and has utilized the experience gained in this position to win election to Circuit Court thus creating the current vacancy. Her last day with the City is November 30, 2016. In anticipation of her resignation, a request for proposals process was completed. An interview panel of two staff members, a City Councilor, the Mayor and the Chief of Police conducted interviews and is recommending appointment of Mr. Matthew Muenchrath.

Highlights of the proposal are as follows:

- Term: Five (5) year contract beginning on December 1, 2016 and ending on December 31, 2021.
- Compensation: \$350 per court day (\$25 more per day than the current rate).
- Duties: Regular arraignments, accepting pleas, conducting bench trials, presiding over jury trials, issuing warrants, reviewing probation reports, conducting probation violation hearings, and other normal duties of a municipal court judge acting in that capacity for municipal court.
- Performance evaluation: Annual by City Council.

It's anticipate that annual cost of this contact is approximately \$15,000.

Councilor DeeDee Murphy motioned to appoint a Municipal Court Judge and direct the City Manager to negotiate a contract.

Councilor Diane Essig seconded the motion.

MOTION:

that the City Council appoint a Municipal Court Judge and direct the City Manager to negotiate a contract.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

- C. Shall the City Council direct staff to draft an Ordinance addressing the parking issues on Laura Ave between 9<sup>th</sup> Street and Highway 38 as resident parking only?

City Manager said that as specified in the Staff Report of September 12, 2016, due to the size of the road and previous experiences with the "resident parking only" designation, Staff is not in favor of continuing with this designation due to the size of the road and issues previously. At the conclusion of the September meeting, Staff was directed by Council do additional research and come back with a new proposal other than closing the entire street off to the public or to parking entirely.

On September 19, 2016 the Police Chief, Public Works Director, Planning Director and City Manager met onsite to discuss options. Based on the roads substandard width,

most of the scenarios involved closing the road to at least one lane of travel. After analyzing each, the participants concluded that the best solution was to close Laurel Ave to eastbound traffic just after the Harbor Light Restaurant, preventing larger vehicles from searching for parking by continuing down Laurel and parking in front of residences. It will also create a 6' shoulder on the south side of the road that can serve as a bike lane ensuring a fire lane is preserved for emergency vehicles. Lastly, there would still be parking on the north side of the road which would help support a new business should one be constructed on the vacant commercial lots just east of the restaurant.

Staff proposes this as the best suited option given the nature of the complaints from residence in this area and given the size of the roadway. Notification of the proposed reconfiguration was sent to residence in this area on October 31, 2016.

The cost to stripe the road and install the new signage for Option 2 would not exceed \$1,000 which could come from the Street Fund.

Ms. Paula Dewitt, 873 Laurel Ave. spoke in opposition of the proposed direction of the traffic flow. She said if it has to be a one-way, it should be the other direction.

Ms. Connie Leinum, 942 Laurel Ave. spoke in opposition of making Laurel Ave. one way. She said this will cause wrecks.

Mr. Bill Otis, 956 Laurel Ave. submitted a written statement in opposition of the one way.

870 Laurel Ave. does not have any off-street parking

Mr. Paul Schindler, 872 Laurel Ave. spoke in opposition of creating a bicycle lane, thought if there was room for that then it should be parking space.

Mr. Eric Samuels, 930 Laurel Ave. spoke in opposition of making the street one way, he talked about enforcement issues with the residential parking already designated.

Mr. Lee Bridge spoke in favor of the Harbor Lights restaurant.

Faiza Serang spoke on behalf of the Harbor Lights restaurant she said that she is proud of the viable establishment that her family has created.

After City Council discussion the consensus was to leave the Laurel Ave. as it currently is.

Councilor Debby Turner motioned to instruct City Staff not to draft any ordinance at this time.

Councilor Diane Essig seconded the motion.

MOTION:

that the City Council to instruct City Staff not to draft any ordinance at this time.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

D. Shall the City Council adopt an Ordinance amending the Reedsport Municipal Code 6.08 Nuisances to add provisions and assign 2016-1158 as the title?

City staff was recently tasked with taking steps to remedy and make safe a group of buildings that were in such a state of disrepair and neglect that it became a serious hazard to anyone that entered it. In response to concerns over both public health and the safety of the public the buildings and the owner(s) were noticed and the buildings were ultimately boarded up and made inaccessible to protect the public. During this process it was felt that the existing city ordinance needed language added to it to better identify buildings or structures of this type. Staff drafted a sub-section to the Ordinance adding 6.08.040 A. 4. "Unsecured and abandoned or vacant buildings and structures which are attractive, dangerous and accessible by children."

Municipal Code violations are regulated and enforced by the Reedsport Police Department based upon a call for service from a citizen or personal observation by an officer.

Fines issued for the violations of this Ordinance will have a negligible effect on the City's budget.

Councilor Leslee Collier motioned to adopt the ordinance sub-section as presented adding the Reedsport Municipal Code sub-section 6.08.040 A. 4.

Councilor Frank Barth seconded the motion.

MOTION:

that the City Council adopt the ordinance sub-section as presented adding the Reedsport Municipal Code sub-section 6.08.040 A. 4.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

- E. Shall the City Council adopt two Resolutions entering the assessment of costs for nuisance abatement into the docket of city liens as stated in the Reedsport Municipal Code Title 6: General Regulations, Chapter 6.08 Nuisances 6.08.190-6.08.230?

City Manager Jonathan Wright said that enforcement of public nuisances is governed by the Reedsport Municipal Code Title 6: General Regulations, Chapter 6.08 Nuisances. When a complaint comes in to the City offices a staff member is dispatched to investigate the complaint and confirm a violation has occurred. The City Manager then directs a certified letter to be sent to the owner or person in charge of the property and posts the premises, directing this person to abate the nuisance.

As Council has previously established, if, within the time allowed, the nuisance has not been abated by the owner or person in charge of the property, the City Manager or the City Manager's designee may cause the nuisance to be abated. A record of actual expenses is kept and an invoice is generated and mailed to the owner of record.

At the expiration of at least thirty days from the date of the notice the Council may adopt, by Resolution, the assessment of costs and shall thereupon be entered in the docket of city liens and upon being adopted, shall constitute a lien upon the property from which the nuisance was removed or abated.

Multiple nuisances were identified at 511, 560 and 575 Greenwood Ave. aka Reed Apartments over several visits including but not limited to obnoxious vegetation, attractive nuisances, junk storage and discarded and/or inoperable vehicles. The properties on Greenwood Ave., Reedsport, Oregon have been abated by the City of Reedsport's Public Works crew and all efforts to contact the owners have been exhausted.

Furthermore the City received concerns regarding a hazardous tree located on the property at 1009 Greenwood Ave. that appeared to be blocking or obstructing an alley access behind the property. Reedsport Municipal Code section 6.08080 allows that no owner or persons in charge of property that abuts upon a public access shall permit trees or bushes on the property to interfere with public traffic. The property at 1009 Greenwood Ave., Reedsport, Oregon has been abated by the City of Reedsport's Public Works crew and all efforts to contact the owners have been exhausted.

Staff recommends that Resolutions 2016-030 and 2016-031 be adopted causing the properties located at 575 Greenwood Ave. and 1009 Greenwood Ave. to have the assessments of costs for nuisance abatement entered into the docket of city liens.

Councilor Diane Essig motioned to adopt Resolutions 2016-030 and 2016-031 to enter the assessments of costs for nuisance abatement into the docket of city liens.

Councilor Frank Barth seconded the motion.

MOTION:

that the City Council to adopt Resolutions 2016-030 and 2016-031 to enter the assessments of costs for nuisance abatement into the docket of city liens.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

- F. Shall the City Council declare real property surplus and request proposals for purchase and redevelopment and allow public input?

City Manager Jonathan Wright said that in 2013 the City negotiated with Union Oil Company of California concerning the purchase/condemnation of a property at 1241 Highway Ave. The property is located across Highway 101 from Dairy Queen and adjacent to the Aztlan Mexican Restaurant. The property, formerly a Unocal 76 station, is currently vacant. The property comes with a Department of Environmental Quality (DEQ) issued certificate of "No Further Action" regarding soil contamination caused by the previous gas station use. The Acquisition of the property allowed the City to remove the dilapidated fence, handrail and light poles and fill and level the ground greatly improving the look of the community in this area.

The property has a real market value, according to the County Tax Assessor, of \$60,450. The City purchased the property in 2013 for \$15,000 plus closing fees, legal expenses and the cost to clean up the site; therefore, it is estimated that the City has no more than \$20,000 invested in this property. To provide incentive for a business to be developed on the property, staff recommends that the site be offered for sale at cost, plus closing and transfer fees with a caveat, that the purchaser must establish a business as allowed by the C2 zone and be operating from the site within one year of the date of purchase.

This property was purchased with Urban Renewal funds with the intent of encouraging business development. By offering the property at cost it will provide incentive to develop the property and provide the purchaser with equity that they can reinvest in the future business.

Oregon Revised Statutes Section 221.725 requires that the City hold a public hearing concerning the sale and post notice in a newspaper of general circulation the week prior to the sale. The public hearing was noticed in the World newspaper on Wednesday, November 3, 2016.

With this proposal the City will recover all costs associated, thereby reimbursing the Urban Renewal District account for all related expenses.

There was no public input on this item.

Councilor Diane Essig motioned to declare the City owned property at 1241 Highway Ave surplus and authorize the City Manager to seek proposals for the purchase and redevelopment of the site.

Councilor Rich Patten seconded the motion.

MOTION:

that the City Council declare the City owned property at 1241 Highway Ave surplus and authorize the City Manager to seek proposals for the purchase and redevelopment of the site.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Frank Barth, Rich Patten, Leslee Collier, Diane Essig, DeeDee Murphy and Debby Turner voted in favor of the motion.)

G. Receive quarterly financial report.

**2016/17 Financial Report  
September City Council  
Meeting**

target % received/spent

by end of 3rd month of

budget year:

**1st Quarter of fiscal year  
2016/17  
Period ending 09-30-2016  
Includes supplemental budget**

**General Fund 001**

	<b>Budget</b>	<b>Actual</b>	
<b>Beginning Fund Balance</b>	\$850,000	\$1,032,020	121.41%

<b>Revenue</b>	\$2,236,505	\$182,748	8.17%	Received
<b>*Expenditures</b>	\$2,776,505	\$492,590	17.74%	Expended

\*(less unappropriated expenditures)

### Street Fund 002

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$60,000	\$90,941	151.57%	
<b>Revenue</b>	\$279,500	\$67,413	24.12%	Received
<b>*Expenditures</b>	\$339,500	\$73,360	21.61%	Expended

\*(less unappropriated expenditures)

### Water Utility Fund 003

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$118,000	\$100,559	85.22%	
<b>Revenue</b>	\$787,200	\$199,754	25.38%	Received
<b>*Expenditures</b>	\$905,200	\$180,822	19.98%	Expended

\*(less unappropriated expenditures)

### Wastewater Utility 004

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$300,000	\$416,336	138.78%	
<b>Revenue</b>	\$1,838,300	\$468,147	25.47%	Received
<b>*Expenditures</b>	\$2,138,300	\$444,253	20.78%	Expended

\*(less unappropriated expenditures)

### Stormwater Utility Fund 005

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$35,000	\$59,744	170.70%	
<b>Revenue</b>	\$73,350	\$18,276	24.92%	Received
<b>*Expenditures</b>	\$108,350	\$15,381	14.20%	Expended

\*(less unappropriated expenditures)

### Bicycle/footpath Fund 007

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$38,800	\$39,095	100.76 %	
<b>Revenue</b>	\$2,400	\$692	28.83%	Received
<b>*Expenditures</b>	\$41,200	\$0	0.00%	Expended

\*(less unappropriated expenditures)

#### Water SPWF Loan Debt Fund 010

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$84,200	\$84,389	100.22 %	
<b>Revenue</b>	\$78,450	\$78,482	100.04 %	Received
<b>*Expenditures</b>	\$162,650	\$156,807	96.41%	Expended

\*(less unappropriated expenditures)

#### Wastewater DEQ Loan Debt Fund 012

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$807,600	\$808,179	100.07 %	
<b>Revenue</b>	\$575,880	\$144,698	25.13%	Received
<b>*Expenditures</b>	\$995,965	\$236,687	23.76%	Expended

\*(less unappropriated expenditures)

#### Wastewater OECDD Loan Debt Fund 013

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$101,270	\$101,426	100.15 %	
<b>Revenue</b>	\$154,500	\$38,807	25.12%	Received
<b>*Expenditures</b>	\$154,250	\$0	0.00%	Expended

\*(less unappropriated expenditures)

#### Fire Equipment Fund 014

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$150,000	\$157,263	104.84 %	
<b>Revenue</b>	\$25,100	\$6,952	27.70%	Received
<b>*Expenditures</b>	\$175,100	\$282	0.16%	Expended

\*(less unappropriated expenditures)

#### Dunes NRA Fund 016

<b>Budget</b>	<b>Actual</b>
---------------	---------------

<b>Beginning Fund Balance</b>	\$110,300	\$117,751	106.76 %	
<b>Revenue</b>	\$95,600	\$24,159	25.27%	Received
<b>*Expenditures</b>	\$205,900	\$28,126	13.66%	Expended

\*(less unappropriated expenditures)

#### Riverfront Fund 017

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$33,000	\$53,439	161.94 %	
<b>Revenue</b>	\$118,525	\$42,266	35.66%	Received
<b>*Expenditures</b>	\$151,525	\$27,966	18.46%	Expended

\*(less unappropriated expenditures)

#### Library Renovation Fund 018

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$3,500	\$2,861	81.74%	
<b>Revenue</b>	\$0	\$0	100.00 %	Received
<b>*Expenditures</b>	\$3,500	\$2,259	64.53%	Expended

#### Sys. Development Fund Water 020

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$71,500	\$71,561	100.09 %	
<b>Revenue</b>	\$270	\$318	117.78 %	Received
<b>*Expenditures</b>	\$71,770	\$0	0.00%	Expended

#### Sys. Development Fund Wastewater 021

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$133,320	\$133,364	100.03 %	
<b>Revenue</b>	\$500	\$593	118.60 %	Received
<b>*Expenditures</b>	\$133,820	\$0	0.00%	Expended

#### System Development Fund Stormwater 022

	<b>Budget</b>	<b>Actual</b>
--	---------------	---------------

<b>Beginning Fund Balance</b>	\$6,050	\$6,054	100.07%	
<b>Revenue</b>	\$20	\$27	135.00%	Received
<b>*Expenditures</b>	\$6,070	\$0	0.00%	Expended

**Enterprise Cap. Improve. Fund -Sewer 024**

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$1,900,000	\$1,864,784	98.15%	
<b>Revenue</b>	\$340,650	\$87,570	25.71%	Received
<b>*Expenditures</b>	\$2,240,650	\$21,873	0.98%	Expended

**General Capital Improve. Fund 025**

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$340,000	\$316,728	93.16%	
<b>Revenue</b>	\$112,000	\$28,745	25.67%	Received
<b>*Expenditures</b>	\$343,800	\$7,714	2.24%	Expended

\*(less unappropriated expenditures)

**Street Capital Fund 026**

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$514,000	\$514,388	100.08%	
<b>Revenue</b>	\$149,650	\$50,600	33.81%	Received
<b>*Expenditures</b>	\$663,650	\$25,341	3.82%	Expended

\*(less unappropriated expenditures)

**Storm Capital Fund 027**

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$280,000	\$273,909	97.82%	
<b>Revenue</b>	\$284,100	\$145,982	51.38%	Received
<b>*Expenditures</b>	\$564,100	\$71,426	12.66%	Expended

\*(less unappropriated expenditures)

**Water Enterprise Capital Improvement Fund 029**

<b>Budget</b>	<b>Actual</b>
---------------	---------------

<b>Beginning Fund Balance</b>	\$1,600,000	\$1,609,792	100.61%	
<b>Revenue</b>	\$181,150	\$47,237	26.08%	Received
<b>*Expenditures</b>	\$1,781,150	\$36,864	2.07%	Expended

\*(less unappropriated expenditures)

**Reedsport Urban Renewal District. Fund 150**

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$178,000	\$181,782	102.12%	
<b>Revenue</b>	\$103,820	\$2,445	2.36%	Received
<b>Expenditures</b>	\$281,820	\$48,267	17.13%	Expended

**URD MainStreet Fund 151**

	<b>Budget</b>	<b>Actual</b>		
<b>Beginning Fund Balance</b>	\$43,955	\$42,749	97.26%	
<b>Revenue</b>	\$36,130	\$5,814	16.09%	Received
<b>Expenditures</b>	\$80,085	\$9,467	11.82%	Expended

6. ADJOURN

\_\_\_\_\_  
Linda McCollum, Mayor

ATTEST:

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