

MINUTES OF THE REEDSPORT CITY COUNCIL APRIL 3, 2017 7:00 P.M. CITY HALL CONFERENCE ROOM

PRESENT:

Mayor Linda McCollum

Councilors DeeDee Murphy, Leslee Collier, Frank Barth, Debby Turner and Rich Patten, Student Councilor Claire Havener (Councilor Diane Essig was absent)

City Manager, Jonathan Wright

City Attorney, Steve Miller

OTHERS PRESENT:

Jessica Terra, John Stokes, Deanna Schafer, Chief Duane Wisehart, Debbie McKinney, Deb Yates, Darlene Ash, Jerry Schneider, Jessica Lloyd-Rogers, Quintin Dascher, Kathleen Miller and Joe Coyne.

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. Anne Ellington, 77625 Hwy 101, Gardiner, Or. addressed the Council concerning a large water bill resulting from a leak at her home in Gardiner. She said that she has not lived in the home for 6 to 8 months. She experienced a large water bill due to a leak and has since had the water turned off. There is a meter on the property but the house is vacant and she can't afford to have the leak fixed. Currently they don't know where the leak is located on the property. She is unsatisfied with being offered a payment plan to bring the past due bill current. She read a letter that she received stating what her options are and that currently there is no means to adjust her bill. She produced a letter concerning an adjustment the City made a few years back when she had experienced a leak at the same location. At that time the leak was repaired.

Deb Yates 723 Mill Ave. announced that the community Memorial Day Parade Ceremony and Concert is coming up.

3. PRESENTATIONS, PROCLAMATIONS, AWARDS

Kathleen Miller, representing the Coastal Douglas Arts and Business Alliance presented the City with \$800 for the Main Street program. This was the proceeds from the 2017 Pub Crawl event.

Darlene Ash, 100 River Bend Road announced that the local Eagles lodge will be hosting a Regional Meeting in August.

4. APPROVAL OF THE AGENDA

Councilor Frank Barth motioned to approve the Agenda.

Councilor Debbie Turner seconded the motion.

MOTION:

that the City Council approve the Agenda.

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

5. PUBLIC HEARINGS

A. Legislative amendments

Shall the City Council Adopt an Ordinance amending Reedsport Municipal Code Chapter 10.60-10.100 and assign 2017-1161 as the title?

Mayor Linda McCollum read the required procedures of the legislative hearing and opened the public hearing at 7:15pm.

There was no testimony either for or against the proposed amendments.

Community Development Director Jessica Terra presented the Reedsport Planning file exhibits in to the record and presented the following staff report.

She said that the Reedsport Planning Commission has worked diligently over the last 12 months to update portions of the RLUC. Numerous work sessions resulted in the following proposed changes to the Reedsport Land Usage Ordinance:

RLUC section	Change Type	Description of change
<b>Vacation and short-term rental provisions</b>		
10.64.030 Definitions	ADDITION	Add definition for short-term rental
10.64.030 Definitions	ADDITION	Add definition for vacation rental
10.72.010 (RA) Rural Suburban Residential zone	ADDITION	Add short-term rental and vacation rental as conditionally permitted uses.
10.72.020 (R1) Single-Family Residential zone	ADDITION	Add short-term rental and vacation rental as conditionally permitted uses.

10.72.050 (R2) Multifamily Residential zone	ADDITION	Add short-term rental and vacation rental as conditionally permitted uses.
10.72.060 (C1) Commercial Transitional zone	ADDITION	Add short-term rental and vacation rental as conditionally permitted uses.
10.72.070 (C2) Commercial zone	ADDITION	Add short-term rental and vacation rental as permitted uses.
10.72.085 (CMU) Commercial Mixed-Use zone	ADDITION	Add short-term rental and vacation rental as permitted uses.
<b>Beekeeping provisions</b>		
10.64.030 Definitions	ADDITION	Add definitions for bee, beehive, bee colony, beekeeper, and beekeeping.
10.72.010 (RA) Rural Suburban Residential zone	ADDITION & DELETION	Add beekeeping as a conditionally permitted use. Strike beekeeping from the list of permitted uses in the RA zone.
10.72.020 (R1) Single-Family Residential zone	ADDITION	Add beekeeping as a conditionally permitted use.
10.72.050 (R2) Multifamily Residential zone	ADDITION	Add beekeeping as a conditionally permitted use.
10.72.180 (AR) Agricultural Resource	ADDITION	Add beekeeping as a conditionally permitted use.
<b>Residential accessory structures provisions</b>		
10.64.030 Definitions	MODIFICATION	Amend the definition of “accessory use or accessory structure” to provide limitations on the size and height.
10.72.020.B.3 (R1) Single Family Residential zone	MODIFICATION	Replace “building site” with “property” to more clearly identify where accessory structures are allowed to be placed.
<b>Extension of time provisions</b>		
10.92.050 Time limit on a permit for variance	MODIFICATION	Grant the Planning Director the authority to approve extension requests, rather than the Planning Commission.
10.96.050 Time limit on conditional uses	MODIFICATION	Grant the Planning Director the authority to approve extension requests, rather than the Planning Commission.
<b>Marijuana uses/facilities provisions</b>		
10.64.030 Definitions	MODIFICATION	Strike the word “grow” from the term “Marijuana Grow Facility” and remove the provision that prohibits these uses at the same location as a dispensary.
10.72.085 (CMU) Commercial Mixed Use zone	MODIFICATION	Modify the term “Marijuana grow site(s)” to read “marijuana facility”.
10.72.090 (M1) Light Industrial zone	MODIFICATION	Modify the term “Marijuana grow site(s)” to read “marijuana facility”.
10.72.100 (M2) Heavy Industrial zone	MODIFICATION	Modify the term “Marijuana grow site(s)” to read “marijuana facility”.
10.76.035 Marijuana dispensaries	DELETION	Strike any references related to marijuana facilities being prohibited at the same location as a dispensary.
<b>Sign provisions for uses within the (CMU) Commercial Mixed Use zone</b>		
10.76.040.K Signs	ADDITION	Add “(CMU) Commercial Mixed use” to the provisions that regulate signs within Commercial Districts.

The Reedsport Planning Commission initiated amendments to the RLUO and a notice of public hearing was sent to the Department of Land Conservation & Development, property owners inside the Reedsport City limits, property owners within the Urban Growth Boundary, affected public districts, service providers, and governmental agencies.

On January 23, 2017 the Reedsport Planning Commission held a public hearing, in which the following comments and testimony were received:

- *Stuart Cowie of the Douglas County Planning Department responded stating the County supports the City of Reedsport's efforts to update their existing land usage ordinance.*
- *Ruth Prater, Tom Prater, and Sue Martino (residents) gave separate testimonies regarding the proposed short-term and vacation rental uses. Their concerns included parking, trash, noise, and safety issues that could result from these uses.*
- *Arthur Dillahay (rental property owner) provided testimony in opposition of the proposal to allow for short-term and vacation rental uses. He felt that by imposing restrictions on the use of his property, it was against his personal property rights. He disagreed with the limitation on the size of group that could stay at a short-term or vacation rental use, as well.*
- *Tom Starner (business owner) was in favor of the provisions that would provide for short-term and vacation rental uses within the community. The transients who would come to Reedsport and stay in town would buy from local businesses. This amendment would support businesses and the community.*
- *David Wilmarth (resident) provided testimony in favor of the beekeeping provisions. He felt the conditional use permit process and minimum standards would allow the beekeeping use to exist in a residential zone without significant impact on the neighbors.*
- *Mike Wahl (resident) spoke in opposition of the provisions that would limit the size and height of residential accessory structures. Wahl stated that by imposing these regulations it would only be impacting a small population of the community. He continued that many properties would already be restricted by lot size and the existing lot coverage requirements.*
- *Sharon Barker (resident) testified in support of the provisions that would limit the size and height of residential accessory structures. She supported it by saying that it would improve the neighborhood aesthetics.*
- *Donna Train (property owner) was not in favor or against the provisions limiting the height and size of residential accessory structures, but was unsure whether the height limitation would be tall enough to allow for an RV to be housed. She continued her testimony in favor of the beekeeping provisions and the short-term and vacation rental uses proposed.*

The Commission considered each comment or testimony and deliberated on the matters individually, taking note of the following:

- **Vacation and short-term rental uses:** While many of the concerns raised regarding safety, noise, and hours of operations of these uses were valid

concerns the Commission took note of the fact that the Reedsport Land Usage Ordinance (RLUO) did not currently identify the use; therefore, allowing the use through a conditional use process provides a public involvement process and imposes conditions so that City Staff can enforce issues that arise. The Commission also considered the positive effect these uses could have on businesses and the community, such as the ability for a homeowner to advertise a residential property as a short-term or vacation rental, which may increase their property value. While the concern over personal property rights was raised, the amendment to authorize short-term and vacation rentals as a conditional use in residential zones, was not prohibiting the use, rather allowing for regulatory mechanisms to ensure the public health, safety and welfare is considered.

- Beekeeping use: The Commission took note that the conditional use process and minimum standards imposed would help to mitigate nuisances of the use, which could impact surrounding neighbors and properties.
- Residential accessory structures: The Commission took note that, while the proposed ordinance would restrict future residential accessory structure development, in order to maintain a more appropriate and consistent neighborhood aesthetic, a variance to the standard may be attainable for those properties in which a special circumstance warrants the larger and/or taller accessory structure.
- Marijuana use amendments: The Commission took note that these amendments were mainly for clarification purposes. However, the Commission also recognized that while the modification to allow marijuana facilities at the same location as a marijuana dispensary is currently against State law, the City is providing for an ancillary component to a retail use, similar to a bakery or brewery, if such time arises that the State authorizes it.
- Extension of time and sign provisions: The Commission determined that these were housekeeping matters and should be approved.

The Planning Commission determined that based on the evidence received and the findings of the staff report, the amendments are consistent with the Reedsport Comprehensive Plan and the State Wide Planning Goals. A motion was made to approve the proposal. The motion passed 5-0-1.

It is now the City Council's responsibility to consider the Commission's recommendation and approve, deny, or modify the proposal.

The cost to amend the City's code is minimal and has been budgeted for in the FY16/17 Adopted Budget. The addition of beekeeping provisions and the ability to authorize short-term and vacation rentals will create revenues at the time an application for one of those uses is received. These revenues are utilized to reimburse for staff time and resources.

Councilor Frank Barth motioned to adopt an Ordinance amending Reedsport Municipal Code Chapter 10.60-10.100 and assign 2017-1161 as the title.

Councilor Debbie Turner seconded the motion.

MOTION:

that the City Council adopt an Ordinance amending Reedsport Municipal Code Chapter 10.60-10.100 and assign 2017-1161 as the title.

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

6. CONSENT AGENDA

*Routine items of business that require a vote but are not expected to require a discussion by the Council are placed on the Consent Calendar and voted upon as one time. 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 6, 2017.
- B. Approve minutes of the regular session of March 6, 2017.
- C. Motion to approve the Consent Calendar.

Councilor Frank Barth motioned to approve the Consent Agenda.

Councilor Leslie Collier seconded the motion.

MOTION:

that the City Council approve the Consent Agenda.

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

7. GENERAL BUSINESS

A. Receive Chamber of Commerce 2016 fiscal year advertising report.

Councilor Debby Turner and Councilor DeeDee Murphy gave an advertising expense report for the Reedsport/Winchester Bay Chamber of Commerce for fiscal year 2016. The most notable expense being a reader board that was purchase over two years and installed in the community in 2016. This will be used to promote events throughout the community to passing motorists and locals alike. They explained that the Chamber will be contracting out to hire a marketing promoter for the 2017 year.

B. Shall the City Council authorize the Main Street program to paint a mural on the concrete levee wall between Rainbow Plaza and Riverfront Way?

Reedsport Main Street Coordinator said that as part of its focus on beautification and revitalization, the Reedsport Main Street Program would like to place a large mural on the levee wall. We believe that a large and attractive mural would visually improve the area—connecting it to the rest of the downtown corridor, provide an aesthetic backdrop for community events in the plaza, provide an inviting gateway to the waterfront and Umpqua Discovery Center, increase visitation, and demonstrate an increasing level of downtown activity. We hope that a successful project will encourage future murals on the side of downtown buildings.

No fiscal impact to the City is expected. The mural will be paid for with donations and volunteer labor.

Councilor DeeDee Murphy motioned to authorize the Main Street program to paint a mural on the concrete levee wall between Rainbow Plaza and Riverfront Way.

Councilor Leslie Collier seconded the motion.

MOTION:

that the City Council authorize the Main Street program to paint a mural on the concrete levee wall between Rainbow Plaza and Riverfront Way.

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

- C. Shall the City Council approve the installation of two stop signs at the intersection of Winchester and 5<sup>th</sup> streets, thus creating a 4 way intersection?

Public Works Director John Stokes said that over the last several years, it has been noticed by staff and the community that there appears to be an increase in activity at the Senior Center, Community Building and 5<sup>th</sup> street (Farmers Market). Further, despite existing signage, there is a speed issue with automobiles, and RV's that bypass HWY 38 on their way to HWY 101. This coupled with a school bus drop off in front of the Senior Center, foot traffic and the increase in activity at facilities noted above, has been the cause of concern of citizens, our law enforcement and several near misses.

This matter has been discussed at length with the Traffic Safety Committee during early and mid-2016 where it was suggested by staff to install stop signs at the east/west bound intersections which would augment the existing north/south stop signs, thus creating a 4 way stop. The existing cross walk would also be repainted and additional stop bars added to ensure safety to pedestrians. This option was voted on and agreed to by the committee at the September 13, 2016 meeting.

Additionally, this has also been discussed with and agreed to by the Reedsport Fire Department. Fire Department staff has advised that a complete 4 way stop at this intersection will not impede the response times or route of the emergency vehicles.

Lastly, the Reedsport Police Department also supports this item.

There is no fiscal impact to the City as a result of installing the two proposed signs other than the minor cost of the signs themselves which will come from existing 002 street sign budget.

Councilor Rich Patten motioned to approve the installation of two stop signs at the intersection of Winchester and 5<sup>th</sup> streets with street painting to create a safer pedestrian environment with more controlled traffic.

Councilor Frank Barth seconded the motion.

**MOTION:**

that the City Council approve the installation of two stop signs at the intersection of Winchester and 5<sup>th</sup> streets with street painting to create a safer pedestrian environment with more controlled traffic.

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

- D. Shall the City Council approve a contract to Sierra Santa Fe, Corp. (SSF), for chip sealing 22<sup>nd</sup> street south of HWY 101 and restriping same, north and south of HWY 101?

Public Works Director John Stokes said that 22<sup>nd</sup> street south of HWY 101 is in need of resurfacing. Due to the condition of the street and cost involved with a complete repaving, chip sealing is showing to be the better option. Considering the traffic amount and its use, chip sealing will also add longevity to 22<sup>nd</sup> street at reduced cost. Once the chip sealing is completed, restriping of the diagonal parking, lane lines and stop bars will be required. Further, the Traffic Safety Committee has recommended restriping 22<sup>nd</sup> street between Ranch Road and Ridgeview on the north side of Hwy 101 with a much safer bicycle and striping plan that is also needed.

This work is tentatively scheduled to be performed during the second week of July, 2017 and is proposed to be funded in the upcoming 2017/18 fiscal year budget. SSF is currently scheduling work in Florence at the same time which is assisting in the mobilization and scheduling of work. No work will be performed until after the new FY budget has been approved nor prior to July 1, 2017. It is needed to approve the contract now as a placeholder or our window of opportunity will not occur until sometime this fall which may not be conducive for chip sealing.

Multiple bids were requested, but all other asphalt contractors would need to subcontract this work which is not cost effective. SSF self performs chip sealing which makes the cost quite affordable.

As the work will not be performed until after the start of the new fiscal year, no costs will be incurred prior to July 1, 2017. The bid amount for chip sealing and restriping is \$77,119.56 plus contingency thus rounding the bid to \$79,000, which is reflected in the capital request for streets for the 2017/'18 budget. If for some reason this is not approved in the upcoming fiscal year budget, this contract work will not be performed. ODOT has also been contacted to inquire if striping crews will be in the area during July which may reduce some of the cost to the project.

Councilor Frank Barth motioned to approve the chip sealing and restriping contract to Sierra Santa Fe, Corp. plus contingency totaling \$79,000 pending 2017/18 budget approval.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council approve the chip sealing and restriping contract to Sierra Santa Fe, Corp. plus contingency totaling \$79,000 pending 2017/18 budget approval.

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

- E. Shall the City Council authorize staff to submit a grant application in the amount of \$50,000 to USDA Rural Development to be used as a match for a portion of the Rainbow Plaza Boat Launch Facility Project?

City Manager Jonathan Wright said that in December of 2016 City Staff submitted a grant application to the Oregon State Marine Board in the amount of \$1,457,423.97 for the final stage of rehabilitation for the Rainbow Plaza Boat Launch Facility project. If these funds are awarded, the City of Reedsport has committed to providing \$367,473.97 in cash, labor and non-cash contributions to the project. This number includes money that has been pledged from other partners and potential grant funding sources.

The USDA Rural Development is one of the funding sources that has been identified as a potential source of match funding. The City has utilized this funding source many times in the past, most recently to purchase three new police cars. In preliminary discussions with USDA staff they have indicated that they could provide up to a \$50,000 reimbursement grant for the restroom renovation portion of the project only.

Staff is proposing to ask for the full dollar amount of the capital facilities grant category in the amount of \$100,000. The match required of \$50,000 has already been figured into the obligation of the full marine board project therefore does not change the fiscal impact previously approved.

Councilor DeeDee Murphy motioned to authorize staff to submit a grant application in the amount of \$50,000 to USDA Rural Development to be used as a match for a portion of the Rainbow Plaza Boat Launch Facility Project?

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council authorize staff to submit a grant application in the amount of \$50,000 to USDA Rural Development to be used as a match for a portion of the Rainbow Plaza Boat Launch Facility Project?

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

- F. Shall the City Council authorize staff to apply for a Salmon and Trout Enhancement Program Grant to place a fish cleaning station in Rainbow Plaza next to the new (2016) boat wash station?

City Manager Jonathan Wright said that a fish cleaning station has long been requested by users of the Rainbow Plaza Boat Launch facility. A fish cleaning station would keep the fishermen from cleaning their catch on the docks and lessen the odors caused by fish byproduct in the garbage cans. The Oregon Department of Fish and Wildlife's (ODFW), Salmon and Trout Enhancement Grant Program could potentially fund the entire cost of a new fish cleaning station to be added to the new Rainbow Plaza boat launch when developed later this year.

After reviewing the Department of Environmental Quality (DEQ) regulation for discharge of fish parts into a waterway and discussing the matter with the ODFW, it was decided that the fish cleaning station associated with the new Rainbow Plaza Boat Launch expansion project should be located so that it can be connected to the City's sanitary sewer system. This would allow the City to avoid permit issues with DEQ and could allow the station to be placed anywhere there is a municipal sewer and waterline. After reviewing the options available in the area, it was determined that by placing the fish cleaning station in Rainbow Plaza as depicted in the attached map, would help eliminate congestion at the launch ramp by encourage users of the boat launch facility away from the launch ramp area. There fishermen could use the boat engine flushing facility (developed in 2016) and clean their catch at the same time.

The cost of the fish cleaning station is estimated at \$42,000. The City would apply for the entire cost of the project through the grant. If a match is required then City staff will offer labor as match.

Councilor Frank Barth motioned to authorize staff to apply for a Salmon and Trout Enhancement Program Grant to place a fish cleaning station in Rainbow Plaza.

Councilor Debbie Turner seconded the motion.

MOTION:

that the City Council authorize staff to apply for a Salmon and Trout Enhancement Program Grant to place a fish cleaning station in Rainbow Plaza.

VOTE:

AYES 6 NAYES 0

(Mayor Linda McCollum, Councilors Barth, Turner, Murphy, Patten and Collier voted in favor of the motion. Student Councilor Claire Havener cast an advisory vote in favor.)

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

City Manager Jonathan Wright announce that the City will be temporarily keeping the Library open until another solution is reached. This will be managed by the City but run by volunteers. Currently there has been enough money to keep a part-time employee on to guide and train volunteers. The City is having fiber installed to replace the current internet provider and computers will be up and running by the end of the week.

Councilor DeeDee Murphy gave an update on the Douglas County Library Advisory Board. She said that a public Hearing will be held on Wednesday, April 5<sup>th</sup> and if anyone would like to contact Commissioner Gary Leif, please do so at [leif@co.douglas.or.us](mailto:leif@co.douglas.or.us) .

10. ADJOURN

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Linda McCollum, Mayor

ATTEST:

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Deanna, City Recorder