

MINUTES OF THE REEDSPORT CITY COUNCIL JULY 1, 2019, 7:15 P.M. CITY COUNCIL CHAMBERS

PRESENT:

Mayor Linda McCollum

Councilors Mark Bedard, DeeDee Murphy, Leslee Collier, Ellen Anderson, Debby Turner and Rich Patten

City Manager, Jonathan Wright

City Attorney Steve Miller

OTHERS PRESENT: Joe Polder, Deanna Schafer, Kim Clardy, David Marshall, Bob Gross, Dennis Swartz, Joseph Kleinsasser, Victoria Lavallee, Jim Deatherage, Joe Leidtky, Debbie McKinney, Anne S., Ron Eberlein, Maggie Thomas, Deb Yates

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. PRESENTATIONS, PROCLAMATIONS, AWARDS

City Attorney Steve Miller gave the Oath of Office to Interim Chief of Police Bob Gross.

3. 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.

Dennis Swartz, 2799 Frontage Rd spoke of his concerns of not being allowed to provide legal representation of private citizens in the Reedsport Municipal Court. Mr. Swartz presented Council with hand-outs.

Ms. Maggie Thomas 1057 Winchester Ave. addressed the Council over the concerns she has of speeding on Winchester Ave. She said that she was under the impression that the Traffic Safety committee was to have a recommendation for the Council at this meeting.

4. APPROVAL OF THE AGENDA

City Manager Jonathan Wright asked that the Agenda be amended to remove minutes on the Consent Calendar and add an item F. concerning replacing the pumps at the Elm Street Pump Station.

He also requested that the Council add an executive session to the agenda pursuant to 192.660 (H) Litigation.

Councilor Leslee Collier motioned to approve the Agenda as amended.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council approve the Agenda as amended.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Patten, Murphy, Anderson, Bedard and Collier 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 May 6, 2019.~~

~~B. Approve minutes of the regular session of May 6, 2019.~~

~~C. Approve minutes of the work session of June 3, 2019.~~

~~D. Approve minutes of the regular session of June 3, 2019.~~

E. Shall the City Council approve an agreement between the City of Reedsport and Douglas County Transportation District for providing transportation services to seniors and persons with disabilities?

The City has successfully managed the Dial a Ride program since July 1, 2008. During the 2018/2019 fiscal year, it is estimated that approximately 6600 one-way rides have been recorded for seniors and disabled persons within a 5 mile radius of Reedsport City Hall including rides to doctors' offices, markets and the Lower Umpqua Senior Center.

The Council is requested to approve an agreement with Douglas County Transportation District to receive grant funds from ODOT STF discretionary funds in the amount \$7,477.00 and Federal 5310 grant funds in the amount \$65,331.00 for the biennium (2 fiscal years).

This item is funded by ODOT STF discretionary funds in the amount \$7,477.00 and Federal 5310 grant funds in the amount \$65,331.00. These amounts have been included in the 2018/2019 budget document.

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1. Approve an agreement between the City of Reedsport and Douglas County for providing transportation services to seniors and persons with disabilities for the biennium.

F. Motion to approve the Consent Calendar as amended.

Councilor Ellen Anderson motioned to approve the Consent Calendar as amended.

Councilor DeeDee Murphy seconded the motion.

MOTION:

that the City Council approve the Consent Calendar as amended.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Murphy, Patten, Anderson, Bedard and Collier voted in favor of the motion.)

6. PUBLIC HEARING

None

7. GENERAL BUSINESS

- A. Shall the City Council adopt a Resolution amending Reedsport Personnel Rules and Regulations Appendix B, Current Salary Schedule and assign 2019-015 as the title?

City Manager Jonathan Wright said that the City of Reedsport Personnel Rules and Regulations provide the current wage and salary schedule for City employees. At the Council meeting of June 3rd, 2019, the Council was presented with Resolution 2019-014 for adoption which establishes the City of Reedsport Operating Budget for Fiscal Year 2019/20. The adopted budget includes a Cost of Living increase of 3% for all Administrative employees, the IAM and Teamster Union Pay Plans.

As provided for in the Personnel Rules and Regulations, Appendix B is updated to coincide with the Adopted Budget. A proposed Resolution has been drafted amending Appendix B of the Personnel Rules and Regulations.

Councilor Mark Bedard motioned to adopt a Resolution revising the City of Reedsport Personnel Rules and Regulations, Appendix B; and assign Resolution number 2019-015 as the title.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council adopt a Resolution revising the City of Reedsport Personnel Rules and Regulations, Appendix B; and assign Resolution number 2019-015 as the title.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Murphy, Patten, Anderson, Bedard and Collier voted in favor of the motion.)

B. Shall the City Council adopt a Resolution amending Reedsport Personnel Rules and Regulations Section 23. Sick Leave and assign 2019-016 as the title?

City Manager Jonathan Wright said that the purpose of the City of Reedsport Personnel Rules and Regulations is to provide systematic and equitable procedures and regulations relating to the hiring, compensation, hours of work, leave, safety, training, working conditions, promotions, discipline, removal and other matters affecting the status of the employees of the City of Reedsport.

City staff recently discovered that in Section 23- Sick Leave subsection D. the statement "At termination of employment, no payment shall be made to the employee for accrued sick leave, unless the termination is for retirement" can be interpreted in ways that were not originally intended. Staff believes that this statement in the rule is to allow for final salary calculation based on the agreement between the City of Reedsport and Oregon PERS. This agreement allows Tier 1 and Tier 2 PERS retirees to add the value of their sick leave accrual to their final wage for calculation purposes.

The way it is currently written can be interpreted to be a lump sum payment at the time of retirement which is an unfunded liability to the City and could equate to a large personnel cost that is not figured in the Budget Document. Staff is recommending that the following change to the wording be made, "At termination of employment, no payment shall be made to the employee for accrued sick leave, unless the termination is for retirement then the balance may be used to calculate final retirement benefits when applicable."

Councilor DeeDee Murphy motioned to adopt a Resolution amending Reedsport Personnel Rules and Regulations Section 23. Sick Leave and assign 2019-016 as the title.

Councilor Ellen Anderson seconded the motion.

MOTION:

that the City Council adopt a Resolution amending Reedsport Personnel Rules and Regulations Section 23. Sick Leave and assign 2019-016 as the title.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Murphy, Patten, Anderson, Bedard and Collier voted in favor of the motion.)

C. Shall the City Council adopt an Ordinance granting a non-exclusive communications franchise agreement to Zayo Group LLC., a Delaware limited liability company and assign 2019-1171 as the title?

City Manager Jonathan Wright said that Zayo Group LLC, dba Zayo has requested the Reedsport City Council consider a franchise agreement that would grant Zayo a non-exclusive privilege to use the public rights-of-way to construct and maintain telecommunication facilities within the corporate limits of the City. Zayo is a communications utility company licensed in the State of Oregon and authorized by the Oregon Public Utility Commission to provide communication service as a competitive telecommunication service provider. The company provides bandwidth and dark fiber connection availability to communications services providers, government agencies and businesses.

The proposed telecommunications franchise agreement with Zayo Group LLC includes a fee equal to 5% of annual gross revenue.

Councilor DeeDee Murphy motioned to adopt an Ordinance granting a non-exclusive telecommunications franchise to Zayo Group LLC and assign 2019-1171 as the title.

Councilor Ellen Anderson seconded the motion.

MOTION:

that the City Council adopt an Ordinance granting a non-exclusive telecommunications franchise to Zayo Group LLC and assign 2019-1171 as the title.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Murphy, Patten, Anderson, Bedard and Collier voted in favor of the motion.)

D. Shall the City Council approve a work order authorization for flexible maintenance services with Oregon Department of Transportation?

City Manager Jonathan Wright said that this agreement will reimburse the City for services currently provided by City Staff. The proceeds will go to reimburse the Urban Renewal District for the purchase of Myrtle Grove Park.

The City has already budgeted for the maintenance expenses associated with this agreement.

Councilor DeeDee Murphy motioned to approve work order authorization for flexible maintenance services with ODOT.

Councilor Debby Turner seconded the motion.

MOTION:

that the City Council approve work order authorization for flexible maintenance services with ODOT.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Murphy, Patten, Anderson, Bedard and Collier voted in favor of the motion.)

E. Shall the City Council authorize the City Manager to negotiate the purchase of a dump truck not to exceed \$26,000?

Public Works Director Kim Clardy said that the City traditionally has owned two dump trucks due to the demand for their use during City construction projects. Recently, the City's 1984 Ford 5 yard dump truck experienced catastrophic motor failure and, due to the age and condition of the vehicle, it is not worth repairing. Currently the City's other dump truck, a 1997 Ford 5 yard, is the only remaining vehicle available for use by City Shops. Staff is requesting purchase authority to find and purchase another dump truck.

Staff is requesting up to \$26,000 for the purchase of a used dump truck.

Councilor Ellen Anderson motioned to authorize the City Manager to expend up to \$26,000 for the purchase a used dump truck.

Councilor DeeDee Murphy seconded the motion.

MOTION:

that the City Council authorize the City Manager to expend up to \$26,000 for the purchase a used dump truck.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Murphy, Patten, Anderson, Bedard and Collier voted in favor of the motion.)

Public Works Director Kim Clardy and City Manager Jonathan Wright explained to the City Council the need to replace the two failing pumps at the Elm Street stormwater pump station. A quote from PumpTech Inc. was distributed and the City Manager asked the Council to approve the cost of the pump replacement not to exceed \$40,000.

Councilor Ellen Anderson motioned that the Council approve the cost of the Elm Street stormwater pump replacements not to exceed \$40,000.

Councilor DeeDee Murphy seconded the motion.

MOTION:

that the City Council approve the cost of the Elm Street stormwater pump replacements not to exceed \$40,000.

VOTE:

AYES 7 NAYES 0

(Mayor Linda McCollum, Councilors Turner, Murphy, Patten, Anderson, Bedard and Collier voted in favor of the motion.)

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

EXECUTIVE SESSION OF THE REEDSPORT CITY COUNCIL JULY 1, 2019, CITY HALL CONFERENCE ROOM

PRESENT: Mayor Linda McCollum, Councilors Mark Bedard, Ellen Anderson, Leslee Collier, DeeDee Murphy and Debby Turner

City Manager Jonathan Wright, Diane Novak

City Attorney, Steve Miller

- A. 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.

ADJOURN

Linda McCollum, Mayor

ATTEST: _____
Deanna, City Recorder