

**CITY OF MYRTLE POINT
CITY COUNCIL MEETING MINUTES
Regular Meeting
Tuesday, September 6, 2022 – 7:30 p.m.,
Flora M. Laird Memorial Library Meeting Room
435 Fifth Street, Myrtle Point**

Council Members

Present in Meeting Room:

Samantha Clayburn, Mayor
Leif Schrader, City Councilor

Stephanie Martell, City Councilor

Attending Remotely:

Daniel Martin, Council President

Michael Hogan, City Councilor

Staff and Others

Present in Meeting Room:

Scott Robinson, Chief of Police
Bob Love, Public Works
Willy Burris, Fire Chief
Doug & Amy Ligons

Darin Nicholson, City Manager
Wayne Ramsey, Public Works
Terry & Melissa Huffman
Trudy Sefers

Attending Remotely:

Kathy Lewis

CALL TO ORDER

Mayor Clayburn called the City Council meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

ROLL CALL

Mayor Clayburn asked the City Council members to state their names for the roll.

CONSENT ITEMS

- A. Minutes of August 1, 2022 Regular Meeting – Mayor Clayburn announced the Minutes of the August 1, 2022 Regular Meeting. Councilor Martell moved to approve the minutes as submitted. Councilor Schrader seconded the motion which carried unanimously.

ACTION/DISCUSSION ITEMS

A. Dangerous Building – 1030 Harris Street

Mayor Clayburn announced the Dangerous Building and called on the City Manager. Manager Nicholson explained that process laid out in Ordinance No. 1181 requires that the City Council first schedule a Public Hearing when a building is believed to meet the definition of a Dangerous Building per the definitions of the ordinance. He recommended scheduling the Public Hearing for the following month's regular meeting on October 3, 2022. Fire Chief Burris reported that there had been a structure fire at the property a few weeks beforehand. The fire caused major damage to the building, with most of the roof being burned. Chief Burris indicated that he feels the building is a hazard and believes there is potential for it to collapse, although he said he has not been back to inspect it. He also said that he has received lots of reports from people in the community stating that they are concerned about it. Chief Burris stated that the family is still on the property and they have stated that they plan to rebuild. Others mentioned that the family was already working on

the structure. Chief Burris indicated that he did not believe the building had power at this time. Manager Nicholson reported that he had contacted the Oregon State Building Codes Division to find out if there was anything they could do about possible unpermitted work being done on the building. Building Codes indicated that they had no jurisdiction unless they receive a permit application. There was also discussion about ownership of the property. Manager Nicholson explained that the property is still in the name of the deceased grandparents but he would send notice of the Public Hearing to the residence and make sure the tenants receive it. There was some other related discussion. Mayor Clayburn called for a motion. Councilor Martell moved to declare the building at 1030 Harris Street a Dangerous Building and set a date for a Public Hearing during the regular City Council Meeting on October 3, 2022. Councilor Hogan seconded the motion which carried unanimously.

B. Request for Approval of OLCC License – Terry Huffman

Mayor Clayburn announced the request for approval of an OLCC license. Manager Nicholson noted that Terry and Melissa Huffman were present at the meeting. He also indicated that he had included a blank copy of an OLCC license application to show the options regarding City Council recommendation on the matter. Terry Huffman explained that they have been in contact with OLCC regarding a license to continue the business at Spruce Street Bar & Grill. He requested the City Council's recommendation to approve the license in order to make the process quicker with OLCC. Councilor Schrader moved to recommend to OLCC that a liquor license be granted to Spruce Street Bar & Grill under the new ownership of Terry and Melissa Huffman. Councilor Martell seconded the motion which carried unanimously.

C. Resolution 2022-13 – Expansion of the Coquille Valley Enterprise Zone

Mayor Clayburn announced Resolution 2022-14 Expansion of the Coquille Valley Enterprise Zone. Manager Nicholson explained that the Enterprise Zone provides tax incentives for the establishment of certain new businesses, or the expansion of existing businesses within the zone boundary. He reported that CCD Business Development, the Zone Manager, had received a request for expansion of the zone boundary to include several properties in and around the City of Bandon. As part of the boundary expansion process, all the Zone Sponsors, which includes the City of Myrtle Point, must approve the proposed expansion. Manager Nicholson indicated that he saw no reason for the City of Myrtle Point to oppose the boundary expansion. He also mentioned that the other zone sponsors would have to approve the boundary expansion. There was some related discussion regarding how the Enterprise Zone functions. Councilor Martell moved to approve Resolution 2022-13 Modifying the Boundary of the Coquille Valley Enterprise Zone. Councilor Schrader seconded the motion which carried unanimously.

D. Auto-Aid Response Agreement

Mayor Clayburn announced the Auto-Aid Response Agreement. Fire Chief reported that the Auto-Aid Response Agreement with the Coquille Fire Department and Green Acres Fire and Rescue had been approved earlier in the year. Under the agreement, all three agencies are paged out simultaneously for certain emergencies, including structure fires and wildland fires, as well as other incidents when requested by the primary agency. Chief Burris reported that the existing agreement has worked very well. It is now proposed to add Bandon Fire and Rescue into the agreement. Chief Burris mentioned several pros and cons about adding Bandon Fire and Rescue into the agreement. The main concern that has been expressed is the response distance to Bandon. He indicated that, depending on the location of a fire within Bandon's district, Myrtle Point might go cover Coquille in order to

allow them to send more resources to Bandon. That way our crews would be so far away in the event of an emergency in Myrtle Point. Councilor Martin moved to approve the addition of Bandon Fire & Rescue in the Auto-Aid Response Agreement already in place with Coquille Fire Department, Green Acres Fire & Rescue, and Myrtle Point Fire Department. Councilor Martell seconded the motion. There was some additional discussion about the existing agreement and possible operation with the addition of Bandon. Following discussion, Mayor Clayburn called for a vote. The motion carried unanimously.

E. Resolution 2022-14 – Affirming the City of Myrtle Point’s Commitment to Being a Welcoming Community

Mayor Clayburn announced Resolution 2022-14 Affirming the City of Myrtle Point’s Commitment to Being a Welcoming Community. Manager Nicholson said that the resolution was his first attempt to embody what had been discussed at the previous City Council meeting. He noted that it included requirements for Diversity, Equity and Inclusion training for City staff and volunteers as had been discussed. The training requirement was biennial for regular city staff and volunteers, and annual for managers and department heads. There was some discussion about the resolution. Mayor Clayburn suggested the addition of a requirement for new staff to have training at the time of hire. It was also discussed that volunteers appointed to office should have the training at the time of appointment as well as on the biennial schedule. Mayor Clayburn suggested postponing approval of the resolution until the suggested changes were made.

F. Coquille River Walk Letter of Support

Mayor Clayburn announced the Coquille River Walk Letter of Support. Manager Nicholson explained that he had been contacted by the City of Coquille to provide a letter of support for a project to extend the Coquille River Walk trail to Johnson Mill Pond. The project is a joint effort of the City of Coquille and Coos County. Councilor Martell moved to provide a letter of support to the City of Coquille for their application to the Oregon Community Paths Program for extension of the Coquille River Walk to Johnson Mill Pond. Councilor Hogan seconded the motion. There was some related discussion. Following discussion, Mayor Clayburn called for a vote. The motion carried unanimously.

G. ServLine Water Leak Insurance Program

Mayor Clayburn announced the ServLine Water Leak Insurance Program and called on the City Manager for background. Manager Nicholson explained that ServLine was a division of HomeServe, the company which already offers homeowners water and sewer lateral line insurance. The Water Leak Insurance program would pay the costs of water and sewer usage fees over a customer’s average monthly usage in the event of a leak. Currently, the city writes off half of the water and sewer consumption charges in the event of a leak, once the customer has had the leak repaired. Manager Nicholson then summarized the amount of revenue lost during 2021 due to leak adjustments. The total amount was approximately \$7,700 in 2021, but the cost of the insurance program was about \$3,500 per month. Manager Nicholson reported that he had initially made a math error, thinking that the \$3,500 cost was annual, not monthly. Based on the cost of the program and the amount of revenue it would restore to the city, Manager Nicholson reported that it was not favorable.

Following Manager Nicholson’s explanation, Mayor Clayburn called on Kathy Lewis, who had requested to comment on the matter. Ms. Lewis’s first comment was about not finding leak adjustments in the budget. Manager Nicholson explained that it would just be revenue which was not received rather than an amount paid out. Ms. Lewis then presented the idea of self-insuring against lost revenue due to water leaks. The program she described was

similar to the insurance program offered by ServLine, but it could be operated by the city so as not to pay a third party for the insurance. The City Council discussed the idea, including implications to both the water and sewer funds. It was also discussed that, if implemented, the rates charged for self-insurance could be adjusted every few years based on revenue needed to sustain it. There was some more discussion about the idea. Councilor Martin then suggested that user rates could just be raised slightly in order to provide additional revenue in the system so that when a leak occurred, it would already be covered by the additional revenue. There was some more discussion on the matter. Mayor Clayburn asked if the current leak adjustment program included commercial customers. Manager Nicholson was uncertain. He then stated that he could draft a policy for City Council review but it might be necessary to consult the City Attorney about the idea of raising user rates to cover leak expenses vs. establishing a new self-insurance leak protection program. Mayor Clayburn directed the City Manager to begin working on a policy for council review and to consult the City Attorney.

PETITIONS FROM THE AUDIENCE

Mayor Clayburn called for petitions from the audience. Doug Ligons addressed the City Council about a project he is working on at Lions Park. The project involves reconstructing the dugouts at the park. Mr. Ligons explained that there is outdated playground equipment at the park which he feels should be removed for safety reasons. He then proposed an expansion to the parking lot in order to allow for greater parking capacity for those watching softball games, as well as to provide space for a school bus to park. Mr. Ligons passed out drawings showing a proposed update to the parking area. He also mentioned the option of relocating playground equipment to the back of the park behind the softball field. There was some related discussion about the park and playground area. Amy Ligons also spoke about the parking lot improvement idea and indicated that if the City Council was in favor of the idea, she could look into possible funding sources. There was a question of ownership of the park. Manager Nicholson clarified that it is city property. Councilor Martell asked if there is an MOU for the school district's use of the softball field. Manager Nicholson indicated that he was not aware of an agreement but said he could check with the school district. It was also identified that the city mows grass and maintains the park. The school district pays for sani-cans during softball season. Manager Nicholson indicated that the Lions Club had donated a new sign for the park a few years ago. They also donated a dispenser for doggy cleanup bags. There was some discussion which followed regarding options for playground equipment that could be placed on the back portion of Loins Park. Regarding next steps, Mayor Clayburn recommended that the city establish an MOU with the school district placing the responsibility to maintain the dugouts and softball field on the school district. Councilor Martell followed up and suggested that the school district be required to maintain the dugouts, the backstop, the bleachers and the infield, and maybe during softball season, the maintenance of the outfield; the city could maintain all of the grass the rest of the year, the play equipment and the parking lot. There was some discussion about upgrading the backstop to help protect adjacent properties from foul balls. Mayor Clayburn suggested that the MOU should define whose liability foul balls would be covered by.

UPCOMING MEETINGS AND EVENTS

- A. Flora M. Laird Memorial Library Board Meeting – September 13, 2022, 11:00 a.m.
- B. Myrtle Point Planning Commission Meeting – Tuesday, September 20, 2022, 7:00 p.m.

INFORMATION ITEMS

- A. Flora M. Laird Memorial Library Board Meeting Agenda – August 9, 2022
- B. Flora M. Laird Memorial Library Board Meeting Minutes – July 12, 2022

OTHER COMMUNICATIONS

A. Staff Reports:

1. Manager Nicholson reported on the following:
 - a. Library Director Position – The Library Director position was advertised on the city website and on Indeed with an initial application deadline of July 15th. Six applications were received and three of the applicants were well qualified for the position. Interviews were conducted in August and a job offer extended to the candidate who was thought to be the best fit for the position. The candidate later declined the job offer for medical related reasons and their inability to commit to the responsibilities of a new job until the medical issue is resolved. The position is now being readvertised until September 9th.
 - b. Park Grant – The Oregon Parks and Recreation Department recently released its 2022 Local Government Grant Program – Small Grant Award Recommendations (see attached). The City of Myrtle Point is recommended for a grant of \$75,000. I have also been in touch with a representative from Game Time, a playground equipment manufacturer. Game Time is offering a matching grant on the cost of material, so we are looking at options to expand the planned playground improvements.
 - c. Camping Regulations – As was discussed at the December 6, 2021 City Council meeting, the Oregon Legislature enacted new policies during the 2021 legislative session which limit the ability of cities to deal with homeless individuals and associated campsites. The City of Coquille recently adopted an ordinance specifying camping regulations. The ordinance was included for reference. It was reported that the ordinance adopted by the City of Coquille was very similar to an ordinance previously adopted by the City of North Bend. A guide on homeless camping regulations published by the League of Oregon Cities also was attached. As was reported in December 2021, cities have until July 1, 2023 to comply with the provisions of the new state laws.
2. Senior Maintenance Worker Ramsey reported on plans to pour the slab for the basketball court at Sunset Park. He also reported that the quote for fencing for the park, including the tall portion behind the basketball hoop, was approximately \$18,000. He reported that a basketball hoop had been donated but he was looking for a swing set, the rubber fall protection, and a picnic table. Sr. Maintenance Ramsey also reported on maintenance activities at the wastewater and water treatment plants.
3. Police Chief Robinson reported that Justin Angove just completed week 4 at the Police Academy and he is still on track to graduate on December 9th. He also reported that Sergeant Harris has some planned time off coming up due to the birth of another child. Josh Nowotny passed his background check and is awaiting a psychological evaluation. Chief Robinson reported on recent problems with some transients. He also reported that Officer George would be driving a black Crown Victoria that the department recently obtained from North Bend PD.
4. Fire Chief Burris reported that the department was planning to hold the steak feed again during the Harvest Festival. He also reported that the Rural Fire District had recently covered the cost of about \$25,000 worth of repairs on the department's primary engine, a 1995 model. While it was in the shop, it was discovered the hose bed was rusted and in need of repair. It is planned to sand blast and epoxy coat the metal in order to extend its life. He mentioned that at some point a new truck would be needed. The cost to replace that truck would be between \$450,000 and \$500,000.

B. City Council Concerns & Comments

1. Councilor Martell mentioned the upcoming Harvest Festival and suggested challenging businesses to clean up and decorate their storefronts for the Harvest Festival.

2. Mayor Clayburn stated that city leaders should lead by example to keep the town clean, such as cleaning up dog poop. She also mentioned that the Chamber of Commerce has plans to purchase flower baskets for downtown. Mayor Clayburn then mentioned a desire to add lights to the picnic shelter at Rotary Park. There was some related discussion.

ADJOURNMENT

Having no further business for the City of Myrtle Point, Mayor Clayburn adjourned the Regular Meeting at 8:56 p.m.

10/03/2022

Samantha Clayburn, Mayor
City of Myrtle Point