

**CITY OF MYRTLE POINT  
CITY COUNCIL MEETING MINUTES  
Regular Meeting  
Tuesday, September 5, 2023 – 7:30 p.m.,  
OSU Extension Service Meeting Room  
631 Alder Street, Myrtle Point**

**Council Members**

**Present:**

Samantha Clayburn, Mayor  
Mike Wood, City Councilor  
Ivan Hawker, City Councilor

Michael Hogan, Council President  
Amy Ligans, City Councilor  
Berea Gibbons, City Councilor\*

**Absent:**

Gary Sullivan, City Councilor

**Staff and Others**

Scott Robinson, Chief of Police  
Darin Nicholson, City Manager  
Amy Bruno, Library Director

Wayne Ramsey, Public Works  
Kathy Lewis\*  
Dan Kleis

(\* indicates remote attendance)

**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. Mayor Clayburn announced the Consent Items – Minutes of the August 7, 2023 Regular Meeting. Councilor Wood moved to accept the minutes as proposed. Councilor Hogan seconded the motion which carried unanimously.

**ACTION/DISCUSSION ITEMS**

**A. Resolution 2023-21 Adopting the Roadway Improvement and Maintenance Plan**

Mayor Clayburn announced Resolution 2023-21 and called on the City Manager for explanation. Manager Nicholson stated that he had emailed out a copy of the Roadway Improvement and Maintenance Plan for the City Council to review and mentioned that a printed copy was available if anyone was interested. He explained that about two years prior, discussion had taken place about the need for a planning document to identify roadway improvement needs prior to undertaking projects. The planning document provides a list of needs and costs for roadway improvements and maintenance within the city. Manager Nicholson said he had reviewed a draft copy of the plan in May and the engineers had updated it accordingly. He recommended adoption of the plan and said it would be the basis for pursuing funding, should the council decide to do so. In terms of funding, he said that there may be some grants available. He also mentioned the option of a local gas tax to generate revenue for roadway improvements and the option of creating local improvement districts if there are certain neighborhoods which wish to undertake a roadway improvement project in their area.

Mayor Clayburn called for a motion. Councilor Hogan moved to approve Resolution 2023-21 adopting the Roadway Improvement and Maintenance Plan. Councilor Wood seconded the motion. Mayor Clayburn called for discussion. Councilor Hawker asked about the possibility of using Transient Lodging Tax revenue for roadway improvements. Manager Nicholson explained that there are state laws governing the use of Transient Lodging Taxes and, in general, they have to be used for something supporting or generating tourism. Councilor Wood commented that it was a very in-depth report and he liked the way it was laid out. Mayor Clayburn recalled previous discussions about Local Improvement Districts, noting that it would be appropriate in areas such as those served by gravel roadways if the residents wanted to add pavement. She indicated that primarily those residents would benefit from the addition of pavement and therefore it would not be appropriate for the rest of the town to pay for the improvements. Councilor Gibbons asked about current roadway maintenance operations. Manager Nicholson explained that roadway maintenance and improvements are paid for out of the State Tax Streets Fund. That fund receives gas tax revenue from the state, and it is used to pay employees who do street maintenance, it pays for asphalt repair, it pays for street sweeping, and it also pays for storm drain maintenance and repairs. He said that because there is so much that comes out of that fund, it limits the projects the city can do. He mentioned that the city relies heavily on ODOT grants to do street improvement projects, such as the Harris Street project which is about ready to bid. He also mentioned that the City Council can transfer money from the General Fund to help fund projects in the State Tax Streets Fund, but mentioned that caution should be used since the revenue in the General Fund comes from property taxes and people have an expectation of that money paying for other city services such as the police. There was some additional related discussion. Councilor Hawker asked if we currently have a gas tax. Manager Nicholson said we do not have a local gas tax. Some related discussion followed. Councilor Wood asked how pot holes are currently repaired. Senior Maintenance Worker Ramsey explained that in-house repairs are made using cold-mix asphalt concrete, but typically the city contracts for asphalt patching a couple times per year to make more permanent repairs. Councilor Gibbons asked for clarification on the immediate impacts of approving the Roadway Improvement and Maintenance Plan and whether there would be immediate financial implications. Manager Nicholson said that projects would be taken on one at a time. He also said the projects are ranked as Priority 1, Priority 2 or Priority 3 projects, but they could be undertaken in any order as funding is available. Manager Nicholson also explained some details about Local Improvement Districts, mentioning that State law governs how they are administered. There was some related discussion. Councilor Ligons then asked if there was any projection of how much revenue a gas tax would bring in. Manager Nicholson did not know but said he could check with Coquille. Following discussion, Mayor Clayburn called for a vote on the motion to approve the Roadway Improvement and Maintenance Plan. The motion carried unanimously.

#### **PETITIONS FROM THE AUDIENCE**

Mayor Clayburn called for petitions from the audience. There were none.

#### **UPCOMING MEETINGS AND EVENTS**

- A. Flora M. Laird Memorial Library Board Meeting – September 12, 2023, 5:00 p.m.
- B. Myrtle Point Harvest Festival - Saturday, September 23, 2023

#### **INFORMATION ITEMS**

- A. Myrtle Point Public Library Foundation Monthly Meeting Agenda – September 5, 2023
- B. Myrtle Point Public Library Foundation Monthly Meeting Minutes – August 1, 2023

## **OTHER COMMUNICATIONS**

### **A. Staff Reports:**

1. Manager Nicholson reported on the following:
  - a. 1030 Harris Street – JBL Trucking and Excavating removed the remaining portions of the Dangerous Building and cleaned up the site at 1030 Harris Street on August 12, 2023. Work was considered complete. An invoice for the cost of the work was sent to the property owners. Councilor Hawker noted that people had been bringing in clothing and other personal items to the site and asked how to deal with that. Mayor Clayburn mentioned that she had received a question over the weekend from a concerned citizen who indicated that people were setting up a homeless camp on the site. There were some other related comments. Manager Nicholson said that the police had been going to the site regularly to make sure people were not camping there and explained that there is no property owner who can give them permission to do so. He also stated that any new items which had been brought to the site would be removed and discarded with additional charges being assessed against the property. Police Chief Robinson commented that it is private property and that somewhat limits what the police are able to do. Without a property owner complaint, they cannot trespass persons from the site. There was some additional discussion. Councilor Hawker asked if a person could buy the property out of probate. Manager Nicholson was uncertain and said it was a legal question. Mayor Clayburn asked if probate had actually been filed. Manager Nicholson was unsure. There was some more discussion and Mayor Clayburn stated that she anticipated getting additional complaints about the property until [ownership] is resolved.
  - b. 908 Hermann Street - Significant progress had been made in removal of the Dangerous Building at 908 Hermann Street. All portions of the structure considered dangerous had been removed but there was still a portion of the building remaining along with some miscellaneous debris and personal items. It was discussed that the danger had been abated but the remaining items on the property may need to be addressed as a nuisance violation. Mayor Clayburn requested that the City Manager reach out to the property owner to find out any plans to finish cleaning up the site.
2. Accountant Groce had nothing to report.
3. Senior Maintenance Worker Ramsey reported that there had been an extra brush pickup event during the previous month. He also trimmed many of the street trees around town to allow for passage of taller vehicles and pedestrians. Sr. Maintenance Ramsey also mentioned the retirement party planned for Bob Love on September 20<sup>th</sup>. He also reported on repairs needed at the Wastewater Treatment Plant which included a broken blower unit and UV bulbs which needed replacement. Both items were in the works. He then reported on plans to get geared up to be able to perform asphalt patching in-house. He needs a different tailgate for the dump truck to allow for precise placement of asphalt mix. Sr. Maintenance Ramsey also answered questions from the Mayor regarding water leaks in town, including one near her house. There was also discussion about a major water leak which occurred over the weekend along the highway, as well as the history of leaks along that waterline and the need to replace it.
4. Police Chief Robinson reported that Officer Gilbert had undergone a procedure on his eye, but he was already back to work. He will go back to the doctor for evaluation and to determine if additional treatment is necessary. Chief Robinson also reported that the department was at full staff with four Patrol Officers, the Sergeant, and himself. With the additional bodies will help them to do some additional traffic enforcement and/or other concentrated patrols.

5. Library Director Bruno reported that the new circulation desk had arrived and had been installed. She also reported that there had been a water leak that morning at the library but the plumber had been called and repairs made. Director Bruno then reported on a new service the library had subscribed to called Kanopy which will allow patrons to stream a variety of movies and episodic TV series. The platform also comes with public performance rights for the movies. Mayor Clayburn asked if that meant the library could now do movies in the park. Director Bruno confirmed that it did. She then mentioned that episodic TV series are the library's greatest circulator, so she believes that Kanopy platform will be well utilized. Director Bruno also reported that Wren Gilbert, the library's Summer Intern, had her last day on August 31<sup>st</sup> and the library staff had a party for her. Wren has agreed to still run a teen gaming night remotely. Lastly, Director Bruno is looking forward to a grand reopening in October ahead of the upcoming annular solar eclipse on October 14<sup>th</sup>. She plans to have eclipse glasses to hand out. Councilor Hawker asked if it was planned to continue any of the kids' programs such as those that happened in the park over the summer. Director Bruno said that it is planned to resume kids' programs once the library reopens and explained some of the plans.

B. City Council Concerns & Comments:

1. Councilor Hawker reported on the upcoming Harvest Festival planned for Saturday, September 23<sup>rd</sup>. He explained the various events and times. He also reported that there was a window painting competition again this year. He reported that there were limited edition Christmas ornaments that would be for sale at the Harvest Festival.
2. Mayor Clayburn reported that she had attended the Fair Board Meeting on August 14<sup>th</sup> and the board had asked whether the city wanted other events on Harvest Festival weekend at the fairgrounds. She said there was no problem having other events but informed the board about the city's noise ordinance and asked them to include it in their contracts in the future. She also reported that they are currently looking a new Fair Manager. Mayor Clayburn also reported that she has some family medical matters going on and she won't be as responsive for the next few weeks.

**CLOSE REGULAR MEETING** – Mayor Clayburn closed the Regular Meeting at 8:32 p.m. and announced that the City Council would meet in Executive Session. Manager Nicholson stated that the Executive Session was in accordance with ORS 192.660(2)(i) "To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing."

**RECONVENE REGULAR MEETING**

Mayor Clayburn closed the Executive Session and reopened the Regular Meeting at 8:54 p.m. She called for a motion regarding the City Manager's salary. Manager Nicholson requested consideration for making the raise retroactive to July 1<sup>st</sup>. Councilor Hawker moved to give the City Manager an 8% raise. Councilor Gibbons seconded the motion and requested to modify the motion to make the raise effective July 1<sup>st</sup>. Councilor Hawker agreed to the modification. Mayor Clayburn called for a vote. The motion carried unanimously.

**ADJOURNMENT**

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

10/02/2023

Samantha Clayburn, Mayor  
City of Myrtle Point