

**CITY OF MYRTLE POINT  
CITY COUNCIL MEETING MINUTES  
Regular Meeting  
Monday, July 1, 2024 – 6:30 p.m.,  
Flora M Laird Memorial Library Meeting Room  
435 5<sup>th</sup> Street, Myrtle Point**

**Council Members**

**Present:**

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

Amy Ligons, City Councilor  
Berea Gibbons, City Councilor

**Absent:**

Gary Sullivan, City Councilor  
1-Vacant council position

**Staff and Others**

Scott Robinson, Chief of Police  
Scott Nay, City Manager  
Amy Bruno, Library Director  
Rodger Ryan  
Chuck LaRue

Wayne Ramsey, Public Works  
Ginny Groce, Accountant  
Pat Ryan  
David Rupkalvis, CCAT

(\* indicates remote attendance)

**CALL TO ORDER**

Mayor Clayburn called the City Council meeting to order at 6:30 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 June 3, 2024 Regular Meeting. Councilor Wood moved to accept the minutes as presented. Councilor Gibbons seconded the motion. Mayor Clayburn asked for any discussion or corrections, and hearing none motion carried unanimously.

**ACTION/DISCUSSION ITEMS**

- A. **Discussion – Coos County Area Transit (CCAT) changes – David Rupkalvis,**  
**Presenter-** Mayor Clayburn announced Coos County Area Transit (CCAT) changes and presenter David Rupkalvis. He started discussion by thanking City Manager Nay for his efforts in working with Mr. Rupkalvis. He then announced that CCAT bus service has been working on some changes to their routes and schedules as things were not working too well for the outlying customer users in Coquille and Myrtle Point. He announced that these changes were going into effect as of today, July 1, 2024. The changes will consist of an on-demand service where a user in Myrtle Point can call for a ride and tell them what time and where to pick them up and the bus service will come to that location at chosen time and pick them up. The bus will take them to desired location for drop off and then will pick them up

from that location at the requested time of the user. Bus service will then take user to any other desired location and time as requested by user. This service will currently be a Monday – Friday service, but hopefully will extend to Saturday Service in the future. The cost for the bus service will be \$2.00 each way which is much more affordable than a taxi cab. Mr. Rupkalvis also mentioned that their “Timbers Route” bus service will continue as has been and will not change. This route is a popular route that goes from Coos Bay/ North Bend to Myrtle Point and back three times per day. He then stated that any veteran can use CCAT’s bus services for free. They just need to complete a form to verify they are a Veteran. Mr. Rupkalvis then discussed CCAT’s Advisory Board and stated that there are two open positions available on this board, which are voluntary positions. He left some application forms with the council to share with citizens who might be interested in being on the advisory board. Councilor Gibbons asked Mr. Rupkalvis the question as to whether this new on-demand bus service was available in Arago or Powers? He indicated that the on-demand service would not include those out-lying areas as it is designed for users within the City limits of Myrtle Point and Coquille. Councilor Hawker asked if they were going to have more than one bus available for the new service? Mr. Rupkalvis answered that one bus will be used initially and they will add more as demand increases.

**B. Public Hearing- Establishing Garbage Rates**

Mayor Clayburn announced the Public Hearing for Establishing Garbage Rates. Before opening public hearing Mayor Clayburn asked Manager Nay to give a staff report. Manager Nay reported that Waste Connections has submitted a proposal for a 3.71% rate increase for garbage rates which equates to an increase of \$0.84 per 35-gallon can per month. Manager Nay then introduced Luke Pike, Waste Connections representative, and asked him to further discuss the proposal. Mr. Pike introduced himself to Council and stated that Waste Connections had purchased the garbage service from J&L Sanitation in July of 2023. He discussed the recycling modernization act which has been delayed and due to start in July 2025, which will delay the recycling program to Myrtle Point until then as well. He then discussed the rate increase proposal. He stated that they calculate their rate increases based on around 75% of CPI, which is Consumer Price Index. Councilor Gibbons commented that she believed there had been a large rate increase last year after the buyout from J&L and then with this requested rate this year, should the city expect to be getting annual rate increases like this proposal every Year? Mr. Pike answered that potentially that would be true based on what the CPI is each year. Mayor Clayburn closed the regular meeting at 6:44p.m. and opened a public hearing on Establishing Garbage Rates. Mayor Clayburn asked for public comments and acknowledged Pat Ryan- Mr. Ryan commented that garbage service was very important to the city and he was in favor of mandatory garbage service. Mayor Clayburn then recognized Amy Bruno for comment. Ms. Bruno asked about whether the new garbage containers were going to be given out now, as discussed last year during Waste Connections buyout and would there be increased rates due to that? Mr. Pike answered that getting a new can would not add additional cost to rates and that the new cans would probably not be rolled out until sometime in 2025. Mayor Clayburn asked for any other public comments and hearing none closed the Public Hearing at 6:47p.m. and re-opened the regular meeting.

**C. Resolution 2024-08- Establishing Garbage Rates**

Mayor Clayburn announced Resolution 2024-08 Establishing Garbage Rates. Councilor Hawker moved to deny the request for an increase to garbage rates for the following reason: the rates are going up but the service is going down a lot. Councilor Gibbons seconded the motion. Mayor Clayburn called for discussion. Councilor Hawker explained that he has had problems with Waste Connections with his garbage service at his business and at home. The quality of service has decreased. He has had some issues with the billing of his service. He stated that he has also had issues with garbage being left scattered around after being picked up. Mayor Clayburn also commented that she has had issues with Waste

Connections billing department and lack of good customer service. She commented that she has a hard time passing on a rate increase to her constituents while there is lack of quality of service with Waste Connections. Mr. Pike indicated that he understood the concerns and discussed the extreme growing pains that have gone along with this purchase and transition. Mayor Clayburn asked for other discussion and hearing none called for a vote of the motion to deny the garbage rates increase. Motion carried unanimously.

**D. Public Hearing – Establishing Wild Animal Feeding Regulations**

Mayor Clayburn announced the Public Hearing for- Establishing Wild Animal Feeding Regulations. Before opening public hearing Mayor Clayburn asked Manager Nay to give a staff report. Manager Nay reported on the discussion earlier this year at the April 1st, 2024 meeting about the feeding of wild animals, turkeys in particular. The feeding of wild animals ordinance was drafted and brought up at the May 6<sup>th</sup> meeting. Discussion and changes were made to it and then was sent to the City Attorney. Once adopted the ordinance would be in effect starting August 1<sup>st</sup>, 2024. Mayor Clayburn closed the regular meeting at 6:57pm and opened public hearing on Establishing Wild Animal Feeding Regulations. Mayor Clayburn asked for public comments and acknowledged Pat Ryan- Mr. Ryan asked if we're supposed to not feed the turkeys like the state wants and how will this be enforced? Mayor Clayburn explained that it's for the feeding of all wildlife in general, and our local Police Department is going to enforce this. She also explained that first you will be given a verbal warning, if you continue to feed the animals then you will be fined and you will go to City Municipal Court. Councilor Wood explained that this will be complaint driven. Mayor Clayburn asked for other discussion and hearing none closed the Public Hearing at 7:04pm and re-opened the regular meeting.

**E. Ordinance No. 1292 – Adopting Ordinance No. 1292-Establishing Wild Animal Feeding Regulations, Definitions, Prohibited Wild Animal Feeding, Abatement, Penalties and Enforcement; And Severability**

Mayor Clayburn announced Ordinance No. 1292-Adopting Ordinance No. 1292 Establishing Wild Animal Feeding Regulations, Definitions, Prohibited Wild Animal Feeding, Abatement, Penalties and Enforcement; And Severability. Councilor Hawker moved to read ordinance by title only Mayor Clayburn moved to motion and Councilor Ligons seconded. Motion carried unanimously. Mayor Clayburn then read the Ordinance as stated above. Councilor Hawker moved to adopt ordinance No. 1292- Establishing Wild Animal Feeding Regulations, Definitions, Prohibited Wild Animal Feeding, Abatement, Penalties and Enforcement; And Severability. Mayor Clayburn moved to motion and Councilor Wood seconded. Manager Nay handed out a flyer provided by ODFW that could be used along with a copy of the Ordinance to hand out to residents. Councilor Wood mentioned having businesses around town posting the flyer as well. Mayor Clayburn brought up discussions they have had with ODFW about trapping of the turkeys and that it is not an effective method. The city of Bandon tried trapping for 3 years and only got 6 turkeys. Councilor Wood said he was initially against this sort of thing until he sat down and did some research and come to the conclusion that we really don't have much of a choice. Mayor Clayburn asked for other discussion and hearing none called for a vote in adopting Ordinance No. 1292-Adopting Ordinance No. 1292 Establishing Wild Animal Feeding Regulations, Definitions, Prohibited Wild Animal Feeding, Abatement, Penalties and Enforcement; And Severability. The vote was 5 Ayes and 0 Nays. Motion carried unanimously. Ordinance No. 1292 is adopted.

**F. Discussion- Vacant City Council position candidates**

Mayor Clayburn announced discussion-Vacant City Council position candidates. Mayor Clayburn asked City Manager Nay to present the discussion. He discussed that Councilor Hogan resigned at the April meeting making the May 2024 meeting his last. At this point, no

one has submitted a letter of interest for being on City Council, so there will be no candidate interviews. There was further discussion from Council and Manager Nay was directed to continue to post the notice of council vacancy on our city website and in the paper and go from there.

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

Mayor Clayburn called for petitions from the audience and acknowledged Pat Ryan- Mr. Ryan brought up issues at Maple and Hermann St. involving himself and the church nearby. The proposed solution that was agreed upon was to put gravel down where Hermann St. is from Maple to Spruce Street. Mayor Clayburn then acknowledged Chuck Larue. He asked about Myrtle Point becoming a sovereign sanctuary city and explained what that is. Mayor Clayburn indicated that there is nothing planned for our area to become a sanctuary to illegal immigrants. There were no other petitions from the audience.

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

- A. Myrtle Point Public Library Foundation Meeting – July 2nd, 2024, 5:00pm.
- B. City of Myrtle Point Town Wide Garage Sale – July 13<sup>th</sup>, 2024, 9:00am - 4:00pm.
- C. Coos County Fair and Rodeo – July 23<sup>rd</sup> - 27<sup>th</sup>, 2024.
- D. Coos County Fair Parade – Saturday July 27<sup>th</sup>, 2024, 10:00am- 11:00am.
- E. July 4<sup>th</sup> Holiday -Thursday- City Hall office closed.

#### **INFORMATION ITEMS**

- A. Myrtle Point Public Library Foundation Meeting Minutes – June 4th, 2024.
- B. Myrtle Point Public Library Foundation Meeting Agenda – July 2nd, 2024.

#### **OTHER COMMUNICATIONS**

a. Staff Reports:

1. **Manager Nay reported on the following:**

- a. Manager Nay reminded those Council Members/Mayor whose terms expire Dec. 31, 2024 that the filing period for petitions for election/re-election is from June 5, 2024- August 27th, 2024. General election is scheduled for Nov. 5th, 2024. Election packets are available at City Hall.
- b. OSU Extension Bldg. – Sale/Land Lease update: As discussed at March 4th City Council meeting Coos County has been working towards the purchase of the Ohlson Baxter Building (OSU Extension Office). The sale is getting closer to being completed sometime around August, 2024. The City of Myrtle Point holds a land lease agreement for the lease of the land that the building sits on. This lease will continue to remain in effect after the sale of the building. The City Attorney and myself have been working with Coos County legal counsel to review and assign the land lease to Coos County from current Lessee- Umpqua Rural Development Corporation. I expect to receive a draft of the amended land lease in July for review and finalization to coincide with the closing of the sale of the Bldg.
- c. USDA Security Inspection and Civil Rights Compliance Review - On June 26, 2024 we had the above-mentioned compliance review of our Sewer Plant and connected services as required by USDA Rural Development due to the Loan we have with USDA for the Sewer Plant and View Street Pump Station. They do a Loan Servicing Inspection every 5 years during the term of the loan and a Civil Rights Compliance review every 3 years. Overall, we performed fairly well and had most documentation in place. The Inspections consisted of reviews of our required documentation, overall processes, policies and procedures in providing services to the public. The inspector then toured the Sewer Plant, View Street Pump Station, City Hall, and

Library council meeting room. We are awaiting final official report of the inspection, but she indicated that overall she was satisfied with what she reviewed. One item of mention included: • Our Excess Crime liability insurance policy needs to have a minimum limit of no less than the annual Loan payment amount. We will need to increase our policy limits to meet that minimum.

**2. Accountant – Ginny Groce**

**a. 2024/2025 NEW FISCAL YEAR**

- Budget books completed, distributed, and posted on our website
- Document submission to county assessor deadline is July 15
- Closing the books for 23/24

**b. 2023/2024 FINANCIAL AUDIT**

The 2023/2024 Audit document has been received, filed with the state, and posted on our website.

**c. WORKERS' COMP ANNUAL AUDIT**

The annual Workers' Comp on-site audit (2022/2023) with SAIF was completed with favorable comments from the auditor, John Sprague.

The annual Worker's Comp report for 2023/2024 is due July 16th.

**3. Leadman- Wayne Ramsey**

- Work is continuing on NBMC sidewalk- almost done.
- New hire Ronny Winningham passed his review and is doing well and is eager to learn.
- New NPDES permit was issued from DEQ and goes into effect August 1<sup>st</sup>, 2024. This permit requires the operator to be a level 3.
- Coos County Fair Parade float for the city is in progress, it will be a Radio Flyer wagon pulled by a truck. Mr. Ramsey asked for volunteers to hand out candy.
- Councilor Hawker asked Leadman Ramsey if we train staff to be level 3 in order to operate the Sewer Plant or do we hire out for this. Mr. Ramsey said we will train current staff to get them certified.
- Councilor Ligon asked if the milk plant in town also gets fined for high phosphorus when we get fined due to their issue. Leadman Ramsey mentioned that they have been fined in the past and we will continue to work with them to get their levels down.

**4. Police Chief- Scott Robinson**

Personnel Report:

- Officer Pierce Returned from Military Annual Training.
- Officer Gilbert Paternity Leave.

Training and Activities:

- Officer George "Parade" Motorcycle
- Coos County Fair- We are wrapping up on Parking, Derelict Vehicle, Homeless Camp Enforcement. Reminder that these types of things are complaint driven. We are really focusing on the area that surrounds the fairgrounds for fair week.
- DUII Saturation Patrol- Sargent Hill with Oregon State Police reached out about having presence in town Friday and Saturday night of the fair. Last year there were approximately 136 stops with only 1 DUII.
- Last meeting he talked about Jigsaw Productions getting in touch with us regarding a case for a documentary they are producing. He had a conversation about this with the District Attorney who was the prosecutor on this case. The case is currently in appeal and the DA's opinion is that we do not make any statements at all.
- Chief Robinson wanted to clarify that the releasing of inmates at the jail after 7 days due to not having legal representation is a Federal mandate, it has nothing to do with State or County mandates.
- The state camping on Public Property Law was discussed and Chief Robinson said we have had no issues in the past year since this law came in effect.

5. **Library Director- Amy Bruno**

Summer Reading – We are off to a great start. Had 37 people come to our kickoff. That is a very big number for here. We have been averaging 15-20 people at the lunch programs. We have had 4 summer intern applications and plan to hire 2 of them this week. She hired internally (Anna) for the janitorial position. We received a grant from CAM that provides art kits and supplies for the kids weekly from July – August. We are looking forward to this creative addition to our summer plans. Although it does not show right now, the rolling bookshelves and other movable furniture that was purchased to facilitate and house our larger than ever summer reading programs are working great! Thank you, City Council, for working with me in this area. Lastly, the Library is paying for an extra porta potty to be at Rotary Park due to complaints about how bad the current one can get.

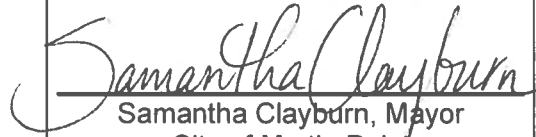
**Council Concerns and Comments:**

1. Councilor Gibbons wanted to say good job to our Ambulance/Fire departments. She gave them very high praises and a thank you for taking such good care of her family. She also wanted to note that she likes the proposed Hermann St. idea about putting gravel down but is wondering if there is a more cost effective alternative. Chief Robinson voiced that putting gravel down is not going to fix the issue between Mr. Ryan and the church. Maybe we could paint lines in the grass so it looks more like a street. Councilor Gibbons asked if it is possible to vacate that part of Hermann St. Manager Nay said we could, but that it would just be a process since there are multiple homes that would be involved. Leadman Ramsey stated that we would need a right of way to be able to work on lines if need be.
2. Councilor Hawker asked about where we are on more lighting at Rotary Park and brought up lights in the gazebos. He did add that having Officer Angove living across the street from the park has been awesome and there has definitely been a decrease in night time activity in the park. Manager Nay did say there is no progress on lights as of now. Councilor Hawker asked if we could put in speed bumps around the park as people like to treat it as a race track. His main concern is Railroad Ave. and asked if we could put in 3 speed bumps. Leadman Ramsey is going to look into it. There was some discussion about changing the speed limit at the park and Chief Robinson is going to do some research on this. Mr. Hawker asked about progress on the dog park? It is still on Leadman Ramseys agenda but he has some questions about the fencing, filler, benches etc. Various ways about getting funding was discussed. Mr. Ramsey suggested meeting at the park and drawing out a plan so they can get a plan set in stone.
3. Mayor Clayburn shared a concern about the OSU Extension office where she works. They rent out the conference room and have an extensive check list of do's and don'ts. When their cleaning lady came to work this morning she noticed a burnt spot outside. They then watched the video surveillance and witnessed someone smoking and flick the ash into the mulch. Within 40 mins then could see smoke forming and at night they could see embers but never an actual flame. It could have been so much worse and she wanted to remind everyone it's fire season and to be careful. Mayor Clayburn brought up that the hanging flower baskets around town are looking good and hopes more businesses will start participating. She then asked Leadman Ramsey when the stop sign at 4<sup>th</sup> St. and the fair board office are coming out? Wayne said he will get on that. Mayor Clayburn has been hearing complaints about a porta potty in an alley way said that the porta potty is not in the alley but is on private property. She stated that having a porta potty is not against any city ordinance so if anyone else gets complaints, that is the answer.
4. Councilor Ligon had questions on if we are doing anything proactive about the rotting trees in the parks. Leadman Ramsey suggested getting some of the trees topped but

we would have to hire out for that. Mayor Clayburn wants us to get an arborist out to check the trees and get what is needed trimmed so they don't become dangerous.

**ADJOURNMENT**

Having no further business for the City of Myrtle Point, Mayor Clayburn adjourned the Regular Meeting at 8:38 p.m.

08/19/2024  
  
Samantha Clayburn, Mayor  
City of Myrtle Point