

CITY OF SUTHERLIN
Regular City Council Meeting
Sutherlin Civic Auditorium
Monday, August 8, 2016 – 7:00pm

COUNCIL MEMBERS:

Wes Anderson, Wayne Luzier, Forrest Stone, Frank Egbert, Tom Boggs, Karen Meier,
MAYOR: Todd McKnight

CITY STAFF: City Manager, Jerry Gillham
City Recorder, Debbie Hamilton
Deputy City Recorder, Diane Harris
Finance Director, Dan Wilson
Community Development Director, Brian Elliott
Public Works Operations Superintendent, Aaron Swan
Police Chief, Kirk Sanfilippo
City Attorney, Chad Jacobs (via Skype)

Audience: Joe Groussman, Dale Richwine, Dick Talley, Cindy Hazelip, Jenna Lynn, Pam & Denny Cameron, Mandi Jacobs, Beth & Jim Houseman, Tami Trowbridge, Dennis Riggs, Travis Tomlinson, Pat & Bert Bales, Brian Burke, Steve Major

Meeting called to order by Mayor McKnight at 7:00pm.

Flag Salute:

Roll Call: Excused – Councilor Boggs

Introduction of Media: None present

PUBLIC COMMENT (agenda items only)

- None

PRESENTATIONS

- **Children’s Playground**

Staff Report – City Manager, Jerry Gillham, shared the new Central Park Playground proposal. Initially Staff submitted a plan for the project through a grant; however the grant was not awarded. Council is being asked to support moving forward with a revised playground concept. Previous bids have been cast aside. Staff split up into teams in terms of responsibilities for grant writing, fundraising, logistics, construction, design and research.

Community Development Director, Brian Elliott, provided a plan featuring the proposed layout and playground equipment. The playground will be divided into areas for 2 – 5 year olds and 5 – 12 year olds. Estimate during grant process was approximately \$112,000 for a minimal amount of play equipment. Cost of proposed more extensive equipment totals \$120,580; however, with 12% discount by purchasing through ORPIN cost dropped to \$106,110.

Questions:

- Is the water feature included in this? *Elliott – Yes, splash pad will be located in the middle of the design, cost is approximately \$47,000- \$50,000. Looking at Public Works doing about \$20,000 worth of the park’s remodel work. A rubber interlocking tile base is planned on the playground area costing approximately \$80,000. Original plans for pour-in-place rubber cost approximately \$120,000. Playcraft’s representative met with Staff last Friday, he sent a proposed design layout to Staff today.*
- \$106,110 is for the material only? *Yes, for the play equipment.* What is the cost for putting the equipment together? *It would be Staff time to install it; Playcraft rep is a certified inspector and will inspect the equipment after installed.*

- Is there a fence around the playground? *Public Works Superintendent, Aaron Swan – Yes, the fence will be on three sides of the playground’s perimeter: Dean Street side, two-thirds on the Willamette Street side and along the west side with full access from the park side. This will keep small children from running out into the road but not be cage-like.*

City Manager – Finance Director, Dan Wilson, is looking into a possible \$100,000 inner-fund loan (which may not be necessary) City can pay back over a 2-year period. Staff will also be applying for a \$100,000 grant from Ford Family Foundation. Staff is requesting Council approval using an inner-fund loan if needed. Plan on starting this summer, however, there is an 8-week waiting period for the equipment after ordering.

- How much is available now for the project? *\$120,000 was set aside during budget process as a grant match (Tourism Fund). Also planning to fundraise, have already talked to some people. Don’t like the inner-fund loan concept; can’t City go out to borrow that money? Have discussed possible options, may also be able to set up a finance package through Playcraft.*

Elliott – Will also be presenting this proposal to the Parks Advisory Committee, they supported the initial proposal, this proposal is significantly better.

Mayor McKnight – Am very impressed with what Staff has done and keeping the continuation of this vision going even after grant was not awarded. This needs to be noted.

- Is the ground all rubber padding? *Yes, some of the padding is 2 ½” other is 3 ½” thick per fall protection requirements.*
- Does water feature have padded flooring also? *Yes, it will be a concrete base with a poured rubber pad on top.*
- Has anyone talked to the events people, i.e. Blackberry Festival, to see if they can work with this? *Have not discussed this with them yet, however did leave a 15 foot wide strip of grass around the perimeter to allow for vendor’s tents.*
- How big is the footprint? *About 13,000 sq. ft. measuring, 80 by 167 feet, current shape is irregular and around 70 by 140 feet.*

Discussion continued regarding the inner-fund loan, transfer of funds into the parks fund, and desire to keep this as a tourism project, if possible.

City Manager spoke of several area projects one being the new turf field at the high school, the new playground would be a great addition to bringing families and tourism into the City.

- ❖ Will fall leaf removal be an issue since fencing will be around the playground? *Do not see that as a problem.*

Councilors spoke in support for the project and appreciation for Staff’s work in putting it together.

- **MHW Value Engineering**

Staff Report – Richwine Environmental, Dale Richwine, introduced MWH Oregon Regional Project Manager, Dick Talley and spoke of putting together the team for the Value Engineering (VE) analysis.

Talley reported a PowerPoint presentation will be shown explaining VE findings. The purpose and needs for the VE Study is to look at ways to improve the reliability of the project and operations resulting in capital improvements while reducing overall project costs. This is not a design review, quality control exercise or meant to be critical or judgmental, but to be a technical sharing of knowledge experience.

Topics covered:

- Constraints & Opportunities
- Timeline
- Process

Brainstorming resulted in 99 opportunities using a “stoplight” color approach; red, green and yellow. Once the red items (36) were identified they were dismissed due to being impractical, violating initial boundary conditions or increasing capital. Yellow items (27) have potential for further consideration due to potential cost benefits; recommendation is for them to stay on the table. Green items (36) were selected for further advancement, VE reductions totaled about \$2 million.

- Risk identification

Risks refer to design, construction, operations and financing

- DEQ’s MAO (Mutual Agreement Order) schedule issues were discussed. Team felt there would be cost savings if able to discuss this schedule with them.
- A well servicing the adjoining property and located close to the site was discussed.

- Initial Pre-design budget estimates need to be adjusted due to inflation.

- VE Team

Richwine presented the teams general recommendations.

- Existing Plant

Summary was provided regarding the revision of the existing plant, a new layout was established during the process. Some major changes were made resulting in a substantial cost savings.

- Recommend a long-term contract with Heard Farms to haul the bio-solids. In comparison to alternative process this would be much more cost effective.
- One risk identified was the ground water and site access for contractor. Recommendation is to contact owner of adjoining property to lease an acre for extra space.

Talley provided the team's summary of baseline costs including estimates from Slayden Construction Estimating group, an independent team. At this point there are still unknowns until completed design shows more specific material requirements. Felt the need to talk to DEQ regarding the ability to discuss opening up that design phase cycle for quality control, Staff and DEQ reviews.

- Cash Source and Use Summary

Comparisons for cash source, MAO schedule and VE's recommended schedule was presented. DEQ seemed receptive in receiving a letter stating City is moving forward and making progress, but needs a more pragmatic approach.

- Cost Estimate Ranges

Talley explained the many variables that go into the cost estimates.

- Recommendations

- ❖ Request time extension for Design with DEQ (July 2017)
- ❖ Validate and accept 10 VE recommendations
- ❖ Evaluate additional VE suggestions
- ❖ Conduct additional groundwater monitoring and include in bid documents
- ❖ Provide laydown/staging areas in bid documents
- ❖ Provide materials wasting areas in bid documents
- ❖ Potentially seek additional \$1 to \$2 million in SRF loan balance.

Questions:

- Is it cheaper to haul to the County's landfill rather than to Heard Farms? ***Land fill charges are potentially twice as much as Heard Farms.***
- Own Ford's Pond property, what are the possibilities of building a new plant there rather than re-doing this one? ***Richwine – Existing facility has good assets to re-use and is more cost effective.***
- Regarding the neighbor's well, City could provide water as a trade out to that resident. ***Great idea. Does the well service anything? It services the home on that site.***
- Did you talk to property owner about renting land? ***Elliott – Have had discussions with him, approaching from another angle.***
- Would like to see design schedule moved up 30 days, concerned about potential rainy season. ***Talley – To give more time between the completion of the design and the construction? Yes.***
- Would like consideration in having an independent person, with a fresh set of eyes to look at the design at 60% and 90%. ***Richwine – This is referred to as a third party review and would be prudent, the small amount it would cost the City would be well worth it.***
- Do you see that going concurrently with DEQ so it wouldn't extend the design process? ***Yes.***
- Engineer's review would be more technical, DEQ is looking at it from a financing and applications standpoint? ***Richwine – Exactly, at 90% DEQ goes through their checklist for those items. Engineers would look at constructability, bid-ability, process and details. Would recommend constructability review at 90%.***
- When is DEQ going to let us know what we're building? ***City is fine until 60%.***

Richwine – VE study report has recommendations regarding some of the issues in the future. City needs to be aware if an industry moves in what they will be discharging and be careful in the selection of those types of industries to avoid potential issues.

- Would like to talk about having an independent Project Manager. ***Talley – Traditionally with Design Bid Build method the Design Engineer is retained through construction. An independent can be brought into a project providing a focus to the construction, it definitely adds cost, but also has a lot of value.***

City Manager – Staff has been discussing multiple options for a few months now. Will sit down with Steve Major at the appropriate time and discuss the best solution.

COUNCIL BUSINESS

- **Transit Room Tax Advisory Committee Appointment**

Mayor McKnight stated that Chamber of Commerce held a TRT meeting in which Councilor Boggs attended, would like to officially appoint him to the committee at this time.

CONSENT AGENDA

- **July 25, 2016 Minutes – Regular Meeting**

MOTION made by Councilor Stone to approve Consent Agenda; second by Councilor Luzier.

In Favor: Councilors Luzier, Stone, Egbert, Meier and Mayor McKnight

Opposed: None

Abstain: Councilor Anderson – Not present at meeting.

Motion carried.

ACTION ITEMS/GENERAL BUSINESS

- **Ordinance No. 1052 – Repeal/Replace Section of SMC – Avenues, Streets and Courts Designation (second reading and adoption)**

Deputy City Recorder, Diane Harris, provided the second reading of Ordinance No. 1052 by title only. “An ordinance of the City of Sutherlin Repealing and replacing Section 12.24.010 of the Sutherlin Municipal Code to Designate Avenues, Streets, Roads, Drives and Courts in the City”.

Staff Report – City Attorney, Chad Jacobs – This is part of the Staff’s code clean-up project. Ordinance takes out actual names of streets in the Code, when a street is added it will not need amending each time.

MOTION made by Councilor Stone to approve second reading and adoption of Ordinance No. 1052 to repeal/replace Section 12.24.010 of the Sutherlin Municipal Code – Avenues, Streets and Courts Designation; second by Councilor Luzier.

Discussion: Councilor Meier stated code language sounds like we are changing the names of the streets.

Jacobs – This is existing code language, only taking the name of the street out of the code.

In Favor: Councilors Anderson, Luzier, Stone, Egbert, Meier and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Ordinance No. 1053 – Repeal/Replace Section SMC – Violations – Penalties (second reading and adoption)**

Harris provided the second reading of the Ordinance No. 1053 by title only. “An ordinance of the City of Sutherlin repealing and replacing sections 10.56.040 of the Sutherlin Municipal Code to update enforcement provisions of the City’s Vehicle and Traffic Code”.

Staff Report – Jacobs – This is part of the Staff’s code clean-up project. The main changes are language updates to reflect current practices.

MOTION made by Councilor Luzier to approve second reading and adoption of ordinance repealing/replacing Section 10.56.040 of the Sutherlin Municipal Code – Vehicle – Penalties; second by Councilor Stone.

Discussion: None

In Favor: Councilors Anderson, Luzier, Stone, Egbert, Meier and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Final Design Engineer Approval**

Staff Report – City Manager – Want to clarify contract in the packet is a template created by Jacobs. Asking for Council approval for the contract amount, authorizing City Manager’s signature pending Jacob’s final review and approval.

MOTION made by Councilor Luzier to approve Final Design Engineer Contract as presented by City Manager; second by Councilor Stone

Discussion: So Staff isn’t putting this out to bid? *City Manager – This was put out to bid, only respondent was Dyer Partnership. The RFP process was continued all the way through to the end, brought in members of the VE team, Councilor Luzier was also present. Reviewed the product, bids, discussed all of the details and negotiated a price.*

Councilor Meier – The \$1,018,500 is the negotiated price? *Yes.*

Councilor Anderson – Timeline was mentioned in the RFP, doubt City will be meeting the December 14, 2016 deadline, what will that be changed to? *June.*

Councilor Meier – Then this will be done in April? *Richwine – That depends on a number of things; DEQ’s review period has to be included, as well. Suggest sitting down with Dyer Partnership get a schedule and also commitments from DEQ for a potential June 1st bid date.*

Major – The schedule should be included in the contract so we all agree; including the dates for the 60% and 90% review.

Councilor Stone – When do you think 60% design will be completed? *Major – Probably January, the schedule should also include when plans are submitted and so many days after DEQ approval, therefore will not be held hostage while waiting for their review.*

Councilor Meier – Shouldn’t this timeline be laid out before we vote? *City Manager – Suggest Council approve the contract for the amount indicated.*

Mayor McKnight – Would it be a big deal to hold off the decision until next meeting? *Elliott – We have a schedule from VE, we need this approval to be able to write this letter and send Design Engineer approval to DEQ for new schedule approval. Process will be prolonged even longer in not approved.*

City Manager – In order to get DEQ on board suggest Council make a motion to approve the contract with Dyer Partnership as City’s Final Design Engineer for the amount stated with a final contract with a schedule of activities brought back to Council in the future for approval.

Major – If Council could approve the contract but not authorize us to start that allows me to start working with our sub-consultants for the structural design and get them on board with a contract, when City approves the final contract we are ready to go. Without having some indication from Council am hesitant to start working with the sub-consultants.

AMENDED MOTION made by Councilor Luzier to authorize City Manager to hire Dyer Partnership as Final Design Engineer for the amount not to exceed \$1,018,500 with a revised contract and schedule to be presented to Council; second by Councilor Stone.

Discussion: Councilor Meier – The termination language in the contract is also vague.

In Favor: Councilors Anderson, Luzier, Stone, Egbert, Meier and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Douglas Rides Call Center Remodel ODOT Grant**

Staff Report – Chief of Police, Kirk Sanfilippo – Asking Council approval in accepting ODOT grant not to exceed \$30,000 for the remodel to expand Douglas Rides Call Center.

MOTION made by Councilor Stone to approve Douglas Rides Call Center Remodel ODOT Grant; second by Councilor Anderson.

Discussion: None

In Favor: Councilors Anderson, Luzier, Stone, Egbert, Boggs, Meier and Mayor McKnight

Opposed: None

Motion carried unanimously.

CITY MANAGER UPDATE

- (Reported later in meeting during Council Comment period) Chief of Police, Kirk Sanfilippo – Reported as required in Sutherlin Municipal Code 5.28.050, anytime there is a Social Gaming License application Council is to be advised at the next regularly scheduled meeting. The new owner/operator of the “Club House” has applied for a Social Gaming License. The license was approved a couple of days ago.

CITY COUNCIL COMMENTS

Councilor Anderson –

- Would like to acknowledge Staff’s good job with the proposed playground, this will be a big asset to the city.
- Would like to thank City Manager for expediting the RFP process and negotiations for Final Design Engineer process. Feel more comfortable as a Councilor that we did our due diligence going through a competitive process. All of us are supportive in getting this process done as quickly as possible. *Thank you, it’s the whole team that worked on it.*

Councilor Luzier –

- None

Councilor Stone –

- Would City be interested in putting a fireworks event funded through the TRT Funds? *City Manager – Rotary has partnered with Chamber of Commerce, Sutherlin Lions and possibly City of Oakland to do a fireworks celebration next summer at Ford’s Pond. Would TRT funds be used for that? No, it would be from private donations and fundraising.*

Councilor Egbert –

- None

Councilor Meier –

- How close is the final signing for the Scarborough property transaction? *Elliott – Anticipating signatures within 2 days for Property Line Adjustment, as soon as survey is completed, looking at 35 to 40 days for completion. From City’s standpoint we are 100% ok, and waiting for document. The survey was completed in December. Have waived City’s \$200 PLA Fee.*

Councilor Stone – Survey is good for only one year, will need to have the process completed or the pins will be pulled out.

Mayor McKnight –

- Would like to acknowledge Chamber of Commerce’s “Chamber Appreciation” event, there was a good turnout and was a lot of fun.
- Would also like to acknowledge Staff on their Parks playground proposal, it has come a long way from when initially talked to Staff about the concept, this is outstanding.

PUBLIC COMMENT –

- None

ADJOURNMENT –

With no further business meeting adjourned at 8:33pm.

Approved: *Jerry Gillham*

 Jerry Gillham, City Manager

Respectfully submitted by,

Diane Harris

 Diane Harris, Deputy City Recorder

Todd McKnight

 Todd McKnight, Mayor

APPROVED BY CITY COUNCIL AUGUST 22, 2016