

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

September 21, 2004

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held at 7 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Jon Eck, Anna Marie Larson, Jeff McKeown, and Cindi Miller. Councilors Roger Gould and Kevin Stufflebean were absent. City staff present were City Manager Chuck Knight, Deputy Recorder Joyce Jansen, City Attorney Nathan McClintock, Fire Chief Stan Gibson, Police Chief Eura Washburn, and Library Director Carol Ventgen.

Flag Salute

Mayor Benetti opened the meeting and led the assembly in the salute to the flag.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of a letter of support for the countywide community reading program "Title Wave: Coos County Reads", approval of a utility sewer line easement for 1011 South 11th Street, and approval of the August 3, 5 and 17, 2004 minutes. Councilor Miller moved to approve the consent calendar as presented. Councilor Larson seconded the motion which passed with the Mayor Benetti and all Councilors present voting aye.

Presentation of Award to Ed Jackson for Service to the City of Coos Bay

Mayor Benetti congratulated Ed Jackson on his retirement from the Fire Department after 33 years of outstanding service to the City, and presented Mr. Jackson with a Myrtlewood plaque. Chief Gibson reported Mr. Jackson has returned to service as a volunteer firefighter and commented Ed has provided excellent service and commitment to the City. Chief Gibson also introduced new Battalion Chief Dean Martin and Fire Cadets Corey Young, David Sauer, Jenna Underwood, and Jeremy Lindquist. The cadets attend Southwestern Oregon Community College and are pursuing degrees in emergency management.

Chief Gibson reported the first week in October is Fire Prevention Week and open houses will be held at all three fire stations. The event includes safety displays, activities for children, and a BBQ. Chief Gibson reported the department had submitted a grant to replace the self-contained breathing apparatuses and has received unofficial word that a grant for \$200,000 will be awarded to Coos Bay Fire Department. The city will donate the old equipment to the college for their training program. Chief Gibson commented the Fun Festival was great in spite of the rain and he thanked Cindi Miller for doing a great job in organizing the event. Councilor Miller thanked city staff for their work during and after the festival.

**Report by Janet Evans of the Children’s Advocacy Center
Regarding Training Offered to the Public on Protecting
Children from Abuse**

Janet Evans reported free training will be offered to the public on September 29th on protecting children from sexual abuse. The featured speaker is Corey Jewell-Jensen and the training will be held at the college. Ms. Evans commented Coos County has the highest child abuse statistics in the state and she encouraged everyone to attend the training.

**Authorization to Amend the Contract with West Yost and
Associates to Allow Development of a Wastewater Treatment
Plant Systems Development Charge**

Administrative Assistant Susanne Baker reported during the budget hearings the committee had expressed interest in implementing a system development charge. West Yost is currently doing the City’s facilities plan and it would be possible to amend the contract to include development of a wastewater treatment plant systems development charge.

Walt Meyers, of West Yost and Associates, briefly explained the Oregon statutes in regards to system development charges (SDC). ORS 223.297 to 314 establishes what SDCs can be used for and the framework for imposition of SDCs. Mr. Meyers reported the reimbursement fee and the improvement fee are the two components of an SDC. The fees are to cover investments the city has already made and grants and bonds cannot be used to compute the reimbursement fee. State statute limits the maximum amount that can be charged; although, the city may charge less than the approved methodology. Mr. Meyers explained the improvement fee must be spent on capacity increase and the law requires a separate accounting of the funds and an annual report. The improvement fee must be based on an approved facilities plan. Mr. Meyers further explained the process for implementing an SDC includes development of a methodology, public hearings, and notification to citizens of the intent to implement the SDC. The Council is required to pass a resolution or an ordinance to adopt the methodology and adopt the actual rates.

Mr. Meyers explained how use of urban renewal funds for Plant I improvements would be handled in regards to a credit of the portion of tax paid toward the facility, the use of proceeds from the fee to pay bonded indebtedness, and the importance of accounting for the SDC revenues. Councilor McKeown inquired if SDCs are common in the state of Oregon and Mr. Meyers reported most entities in Oregon have SDCs. Mr. Meyers commented the purpose of an SDC is to offset the fact that existing users pay for the plant and for future growth. The City of Medford implemented SDCs years ago and have had huge growth in the past years and currently have some of the lowest rates in the state. Councilor Larson stated she would not support implementation of another fee and expressed fear that developers would not do business in the city. Councilor McKeown explained SDCs are levied against new construction not current citizens. Mayor Benetti commented the new developments utilize the systems the city has already paid for and the SDC fee is meant to offset these costs.

Mr. Meyers reported the Council would also want to look at their wastewater agreements with Charleston and Bunker Hill Sanitary Districts as the current agreements do not allow the SDC to be passed on to them. Ms. Baker explained the options available to the Council for amending

the contract with West Yost and Associates. She commented the process would be brought back to the Council and it would take approximately a year to develop the methodology for the SDC. Councilor McKeown recommended moving forward with development of a systems development charge as a way to pay for facilities. Mayor Benetti commented the council and staff have talked about SDCs for some years and he supported the concept. Councilor Eck moved to approve amending the current contract with West Yost and Associates to allow for the development of a wastewater treatment plant system development charge for Plant I and Plant II, and to direct staff to request proposals for a collection systems master plan and development of a collection systems development charge. Councilor Miller seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

Adoption of the Storm Water Master Plan

Administrative Assistant Susanne Baker explained the City had contracted with Dyer Partnership to create a Master Plan for Plant I and will be used to prioritize construction projects as funding is available. Mike Ericson, of Dyer Partnership, commented the plan covers the downtown central part of the city and includes a study of the watershed basin, and he briefly reviewed the locations of the proposed pump stations. Mayor Benetti commented the plan has a lot of priority one projects listed for a total cost of \$8.3 million. Councilor McKeown also expressed concern about the number of priority projects and the estimated cost. Mr. Ericson commented the intent was for the city to prioritize the projects by determining the areas that have experienced the most flooding. Councilor Miller moved to adopt the Storm Water Master Plan on its technical merits as presented. Councilor Eck seconded the motion which passed with Mayor Benetti and all Councilors present voting aye.

City Attorney's Report

City Attorney Nate McClintock reported at a previous meeting a citizen had requested the Council consider adding language to require dogs be kept on a leash. The current ordinance does not state dogs must be on a leash, but does not allow dogs to run at large, and requires the owner to have immediate control over the animal. He has done some research on language for a leash law and will bring more information to the Council for discussion.

City Manager's Report

City Manager Chuck Knight reported Janell Howard had her baby Sunday afternoon and mother and daughter are doing well. Chief Gibson will be acting city manager while Mr. Knight is out of town.

Public Comments

Bob More, South Coast Food Share, reported a community food assessment will be completed in mid-January for the purpose developing a plan to meet the food insecurity needs of this region. The Oregon Food Bank will train staff how to do the assessment. South Coast Food Share (SCFS) is requesting support from the City Council and Councilor Stufflebean has agreed to be the council's representative. Mr. More commented SCFS is in need of a larger warehouse and is currently looking for property. Councilor McKeown commended Mr. More and SCFS for their work. Mr. More commented for many people in the city and county, there is too much

month left at the end of the money. People earning minimum wage cannot meet all the financial needs of their families and the food budget is the easiest to cut. SCFS plans to complete the assessment by mid-January.

Council Comments

Councilor Eck congratulated Finance Director Janell Howard and her family on the birth of their daughter. Councilor Miller reported Susan Spargo, City Planning Commissioner, is currently in intensive care. She also congratulated Mrs. Howard on the birth of her daughter, and thanked the community and city staff for making the Fun Festival a success even with the rain. Councilor Larson invited everyone to attend the second annual Alzheimer walk on Sunday at Mingus Park. She also thanked Carla and Craig Ford for their articles in the newspaper on Alzheimer's disease. Councilor McKeown thanked Councilor Miller and everyone who worked on the Fun Festival. He also congratulated Mrs. Howard on the birth of her daughter and Ed Jackson on his retirement from the Fire Department.

Mayor Benetti congratulated Janell and Wayne Howard on the birth of their daughter Abigail Ann. He also thanked Councilor Miller and the Fun Festival Committee on doing an outstanding job with the Fun Festival. He commented a lot of people participated in the event in spite of the heavy rain. Mayor Benetti reported Chuck Knight received an award today from the FBI for his involvement in the FBI National Academy Association for 21 years.

Executive Session

An executive session was held pursuant to 192.660 (2) (f) to consider records that are exempt from public inspection and (2) (h) for the purpose of consulting with legal counsel regarding potential litigation. The council reconvened into regular session.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting to October 5, 2004 in the Council Chambers at City Hall.

Joe Benetti, Mayor

ATTEST:

Joyce Jansen, Deputy Recorder