

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**March 18, 2008**

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 Jeff McKeown and Councilors Michele Burnette, Mark Daily, Jon Eck, Gene Melton and John Muenchrath. Councilor Stephanie Kramer was absent.

City staff present was City Manager Chuck Freeman, City Attorney Nate McClintock, City Clerk Vicki English, Fire Chief Stan Gibson, Finance Director Janell Howard, Public Works and Development Director Jim Hossley, Assistant City Manager Joyce Jansen, Library Director Carol Ventgen, Police Captain Rodger Craddock.

### **Flag Salute**

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

### **Consent Calendar**

Mayor McKeown reviewed the consent calendar which consisted of approval of the minutes of March 4, 2008. Councilor Burnette moved to approve the consent calendar as presented. Councilor Eck seconded the motion which carried with Mayor McKeown and Councilors Burnette, Daily, Eck, Melton and Muenchrath voting aye.

### **Legislative Report by Senator Joanne Verger**

State Senator Joanne Verger discussed the Supplemental Session that was held February 2008. This was the first time that the Oregon Legislative Assembly met in a Supplemental Session. Senator Verger reported that the purpose of the session was to rebalance the budget and to consider having an annual session in the future. Senator Verger briefly discussed issues that were considered an emergency or of high priority. Among those issues were the State Police funding, Umatilla Basin water crisis, children protection from abuse, senior's safety and care, and the mortgage crisis. Senator Verger stated that her Bill 1077, a property tax relief for low income seniors, did get two hearings but did not get a work session; however she intends to bring the bill back in 2009. Senator Verger discussed other issues that the people in this community responded to such as; (1) the legal presence requirements for a drivers license, (2) House Bill 3618 which is the Natural Resource Property Credit that provides a tax relief on estate taxes for family farmers, forest owners and commercial fishing businesses, (3) the property crimes ballot measures, and (4) and the Clark vs. OSHU ruling. Senator Verger said that she does not agree that the New Carissa should be removed; it is not in the best interest of our area. She said she has discussed this with the Governor and DSL. Councilor Muenchrath asked Senator Verger if there is a plan to do any studies to track the efficiencies of the annual sessions. Senator Verger commented that she was unaware of any future studies; however

there should be a benchmark to determine whether having the annual sessions have been effective.

**Report from Marshfield High School Student  
Council Representative Ellen Fields**

Marshfield High School Council Representative, Ellen Fields gave an overview of the events that have and will be taking place at Marshfield High. Some of the past events were the annual blood drive, the Mr. MHS vs. Mr. Bulldog volleyball game which raised over \$600 that will be donated to local charities, the second annual Poetry Slam where over 30 contestants competed and the Winter Band and Choir Concert. Ms. Fields reported that the upcoming events were the Mr. MHS dodge ball tournament that will be held at Marshfield High on March 19, 2008, the Mr. MHS Pageant which will be April 12, 2008, and Marshfield High will be hosting the 100th anniversary Coos County Track Meet on April 18, 2008. In closing Ms. Fields stated that the scholarship process has begun and that there is over \$100,000 that will be awarded.

**Council Approval of Coos County's Use of  
Deadly Physical Force Plan**

Coos County District Attorney, Paul Frasier, presented The Plan and gave a brief overview on the history of the Bill that was passed by the 2007 Legislative Assembly concerning the investigation of deadly force when used by a police officer. Mr. Frasier stated that The Plan needed to be approved by the Attorney General and seven Police Forces which would then become the law of the County. He also stated that approval must be made by July 1, 2008 in order to be reimbursed for some of the expenses incurred by members of the Planning Authority. Councilor Muenchrath moved to accept the Coos County's Use of Deadly Physical Force Plan as submitted. Councilor Burnette seconded the motion which carried with Mayor McKeown and Councilors Burnette, Daily, Eck, Melton and Muenchrath voting aye. Mayor McKeown asked if this was in compliance with Senate Bill 111 and Mr. Frasier replied that he believes they have done everything that the Bill required and that the Attorney General will review The Plan to make sure it is in compliance. Mr. Frasier asked that the Mayor sign the approval and stated that as soon as it was approved the Council will get a copy.

**Public Hearing to Consider an Empire Parking District**

This item was deferred to the April 1, 2008 City Council Meeting.

**Chamber of Commerce Update by President Ken Croes**

President of the Bay Area Chamber of Commerce, Ken Croes, presented an informational overview of the Chamber's goals, plans, activities and accomplishments. Among them were exploiting the opportunities for the upcoming Olympic Trials in Eugene, hosting the South Coast Employer Council to assist local businesses to find qualified job applicants, the Drug Free Work Place Project, tracking the rail embargo and the Marine Reserve issues, the Chamber Ambassadors that welcome new business, Leadership Coos and the operation of the Coos Bay's Visitors Center.

**Public Hearing on a Community Development Block Grant  
Food Warehouse for ORCCA**

Public Works and Development Director Jim Hossley reported that Oregon Coast Community Action (ORCCA) is requesting the City of Coos Bay sponsor a Community Development Block Grant (CDBG) application to construct a new Central Food Warehouse in Coos Bay. The total grant request is \$500,000. The Central Food Warehouse will be a 9200 square foot building equipped with freezer, cooler and racking equipment. Mr. Hossley stated that pursuant to a Memorandum of Understanding between ORCCA and the City of Coos Bay, the warehouse location has yet to be finally determined. ORCCA staff understands that the zoning for their preferred warehouse location will require ORCCA to receive a conditional use permit from the Planning Commission to site the building. Mr. Hossley reported that the total cost of the project will be just under 1.5 million dollars and CDBG will provide \$500,000. ORCCA is also applying for a United States Department of Agriculture (USDA) loan. Mayor McKeown opened the Public Hearing. Hearing no comments, Mayor McKeown closed the public hearing. Councilor Muenchrath moved to have the Mayor sign the Community Development Block Grant application. Councilor Burnette seconded the motion with Mayor McKeown and Councilors Burnette, Daily, Eck, Melton and Muenchrath voting aye.

Daniel Partner of ORCCA read the Public Statement concerning the loan with the United States Department of Agriculture.

**Award of Grant Administrator for the South Coast Head Start  
Building Project**

Public Works and Development Director Jim Hossley reported that on June 19, 2007 the City Council agreed to sponsor a Community Development Block Grant (CDBG) on behalf of Oregon Coast Community Action (ORCCA) and submitted a grant application to the Oregon Economic Development (OEDD). The City of Coos Bay and ORCCA were successful in the grant process and the City received \$800,000 to construct a \$2,917,583 building. This building will consist of five classrooms and is located at the new ORCCA Community Campus on LaClair Street, Coos Bay. Included in the grant budget is \$25,000 to hire a grant administrator to assist with the CDBG administrative functions. Mr. Hossley stated pursuant to this, City staff solicited a Request for Qualifications (RFQ) state-wide for a grant administrator and received one application from CCD Business Development Corporation (CCD) for \$33,000. CCD has a vast amount of experience in administering CDBG grants and projects under the rules, regulations, and guidelines of the Federal Housing and Urban Development Department. The proposal submitted by CCD has been discussed with ORCCA and they have agreed to fund the \$8,000 balance necessary to hire CCD if the Council awards the contract. Mr. Hossley commented that the benefits of hiring CCD as the grant administrator are their experience with the administration of CDBG grants and the relief of the administrative duties from City Staff. Councilor Eck moved to award the CDBG South Coast Head Start Building Project Grant Administrator RFQ to CCD Business Development Corporation for \$33,000. Councilor Daily seconded the motion with Mayor McKeown and Councilors Burnette, Daily, Eck, Melton and Muenchrath voting aye.

Mayor McKeown asked a representative of ORCCA to mention the agencies that have been a source of funding. Rollie Lobsinger of ORCCA stated that the major funding sources were the Ford Family Foundation with a donation of \$432,500, Coquille Tribal Community Fund donating

\$30,000, community fund raising in the amount of \$33,000 and a total of \$70,000 in individual donations.

### **Presentation of a Safety Award to Operations Management International**

Public Works and Development Director Jim Hossley introduced Steve Simpson, Operations Management International (OMI) Project Manager. Mr. Simpson reported that OMI has been recognized for ten years without a time loss accident. Mr. Simpson stated that in honor of this achievement the National Safety Council presented OMI in November 2007 with three plaques. Mr. Simpson presented one of the plaques to the City of Coos Bay in recognition of their contribution to maintaining a safe working environment. Mr. Simpson closed saying that as of today OMI has reached 3758 days of no time loss accidents.

### **Award of Contract for a Wastewater Sewer Rate and Cost of Service Study**

Public Works and Development Director Jim Hossley reported that the City has completed a wastewater plan identifying upgrades and repairs that will be necessary to our wastewater system over the next twenty years. In order to ensure adequate funding for these capital improvements and provide for rising operation and maintenance costs, it is prudent that the City prepare a wastewater sewer rate and cost of service study. To ensure the City's sewer rates are fair, equitable and adequate among all class of users, the council directed staff to proceed with advertising a Request for Qualifications (RFQ) on January 15, 2008. Mr. Hossley reported that four firms responded the RFQ. After staff review of all the proposals, staff recommends Donovan Enterprises, Inc. be awarded the Wastewater Sewer Rate and Cost of Service Study contract in the amount of \$25,350. Mr. Hossley stated that the staff also recommends that the Council consider an additional \$3,500.00 contingency as well. Mayor McKeown commented that this study will be a tool to guide the Council in setting appropriate sewer user rates and sewer connection fees to fund capital improvements as well as operations and maintenance of the system. He stated that the Council wants to be sure that the rates are appropriately charged with all classes of users. Councilor Burnette moved to award the contract for a Wastewater Sewer Rate and Cost of Service Study to Donovan Enterprises, Incorporated for the cost of \$25,350 with a \$3,500 contingency. Councilor Muenchrath seconded the motion which carried with Mayor McKeown and Councilors Burnette, Daily, Eck, Melton and Muenchrath voting aye.

### **Public Comments**

Geno Landrum of Coos County stated that after the award was given from the insurance company concerning the removal of the New Carissa he wrote a letter to the Secretary of State that was forwarded to both Senator Verger and to our State Representative. Mr. Landrum said that the content of the letter was asking why Coos County couldn't use some of the money to create a viewing station for the New Carissa. Mr. Landrum said that he received a response from the Secretary of State stating that the State was mandated to move the New Carissa and that the main reason was because of a safety issue. The concern was that if someone walked or swam out to the New Carissa and was injured that the State would be responsible. Mr. Landrum said that he responded back stating that we have a ship wreck on a State beach north of us that the public is walking on and around and that the State doesn't seem to be concerned about it. Mr. Landrum presented a challenge to the viewers that if there is a loss of life or an

injury removing the ship that we need to put the responsibility were it needs to be and that is with the Secretary of State. Mr. Landrum also stated that the award was in the amount of \$22 million and that the contract to remove the ship is for \$16 million and that we should ask for the remaining \$6 million.

### **City Attorney's Report**

City Attorney, Nate McClintock reported that his son is involved in Mr. MHS and that he is raising money for the local charity doing the backpack program for low income children that do not have the money for school supplies. His son will also be involved in the dodge ball fund raiser that will be held at Marshfield on March 19, 2008.

### **City Manager's Report**

City Manager Chuck Freeman reported that there will be a Joint Committee Meeting with the City of North Bend March 20, 2008 at 4:00 pm. Mr. Freeman stated that the agenda items are meeting frequency cycle, Transient Tax, Gas Tax and DSL. Mr. Freeman welcomed Chief-in-waiting, Captain Rodger Craddock. Mr. Freeman thanked the committee for their help in conducting the interviews and that he felt that the process went very well. Mr. Freeman stated that we were denied a grant from the State parks for the John Topits Park Bridge but will be looking for other opportunities. Mr. Freeman said he will be joining the County March 19, 2008 on the Hazardous Waste Program. The City will be expected to adopt this hazardous waste disposal program which will affect everyone in the County.

### **Council Comments**

Mayor McKeown introduced Captain Craddock. Councilor Melton reported that the Veterans Organization of Coos Bay dedicated the new memorial at the lookout on Highway 101 in North Bend. The plans are to have the memorial completed by Memorial Day 2008. There are donation bricks that are being sold and if you are interested contact Mr. Melton or a Veteran Organization. Mr. Melton said that if you were interested in having an entry in the Memorial Day Parade contact him. Councilor Muenchrath congratulated Captain Craddock on being selected for the position of Police Chief. Councilor Burnette also congratulated Captain Craddock. Councilor Daily congratulated Captain Craddock and stated that the sign up for the Cal Ripkin baseball will continue until the first week in April. Councilor Daily also stated that the Nancy Devereux Center was experiencing financial challenges and needs volunteers. If you are interested contact the Nancy Devereux Center. Councilor Eck congratulated Captain Craddock. He reported that Mayor McKeown, Councilor Melton and others from the community met Monday, March 17, 2008 to work on a Political Action Committee for the new fire station. The committee was named Fire Station For You! Councilor Eck said that if you would like to make a donation you can do so and that there is a tax credit for this contribution. Councilor Eck asked the City Attorney if they could meet with more than three Councilors on this committee. City Attorney McClintock stated that having more than three Councilors would be fine if the meetings were announced as public meetings. Councilor Eck stated that he would like to see community members get involved and donations can be made to 444 North 4th Street in Coos Bay and that the checks can be made out to Fire Station For You! Committee. Mayor McKeown read a letter that he had written to The Honorable Gordon Smith regarding the support to the Oregon International Port of Coos Bay's appropriations request for the proposed public/private

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pedestrian bikeway project that will link the City of Coos Bay, the City of North Bend and the Coquille Tribe of Indians water front. Mayor McKeown asked the Council for their approval for signing the letter and sending it. There was consensus among the Council to do so.

**Adjourn**

There being no further business to come before the Council, Mayor McKeown adjourned the meeting to April 1, 2008 in the Council Chambers at City Hall.

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Jeff McKeown, Mayor

Attest:

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Janell K. Howard, City Recorder