

**MINUTES OF THE PROCEEDINGS OF THE
CITY OF COOS BAY CITY COUNCIL**

March 2, 2010

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 the City Council Meeting

Those present were Councilors Mark Daily, Jon Eck, Joanie Johnson, Stephanie Kramer, Gene Melton, and John Pundt. Mayor Jeff McKeown was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Rae Lea Cousens, Deputy Finance Director Susanne Baker, Public Works and Development Director Jim Hossley, City Engineer Carl Nolte, Fire Chief Stan Gibson, Planning Administrator Laura Barron, Library Director Carol Ventgen, and Acting Police Chief Gary McCullough

Flag Salute

Council President Eck opened the meeting and led the Council and assembly in the salute to the flag.

Consent Calendar

Council President Eck reviewed the consent calendar which consisted of 2a: approval of the minutes of February 16 and February 18, 2010; 2b: approval of Fire Station #1 Change Order #11; and 2c: approval of an OLCC license application for Tioga Mini Mart and Deli. Councilor Kramer moved to approve the consent calendar for the approval of the minutes of February 16 and February 18, 2010, approval of Fire Station #1 Change Order #11, and approval of OLCC license application for Tioga Mini Mart and Deli. Councilor Melton seconded the motion which carried with Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye. Mayor McKeown was absent.

Introduction of New Employees

Acting Police Chief Gary McCullough introduced two new employees, Police Officer Marcia Hughes and Police Officer Daniel Lawson.

**Public Hearing to Consider a Proposed Amendment to the
Comprehensive Plan Volume III, Coos Bay Estuary Management
Plan – Approval will Require Enactment of the Proposed Ordinance**

Planning Administrator Laura Barron stated the proposed amendment to the Comprehensive Plan Volume III of the Coos Bay Estuary Management Plan would add language enabling a landowner of an existing dwelling to alter, expand, and reconstruct the dwelling. At the February 9, 2010 Planning Commission meeting the recommended language was approved unanimously to be added to the Shoreline Segment 27-UW. Council President Eck opened the public hearing. No public comments were made. Council President Eck closed the public hearing. Councilor Kramer moved to approve amendment based on the findings and conclusion set forth in the Planning Commission's Final Recommendation, approve the proposed

amendment to the Coos Bay Comprehensive Plan, Volume III, Part 1, Chapter 5, Shoreland Segment 267-UW, and enact the ordinance. Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 420 was enacted by the following vote:

Aye: Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt
No: None
Absent: Mayor McKeown

Presentation on the Oregon Department of Fish & Wildlife Waterfowl Hunting Boundary Change by Acting Police Chief Gary McCullough

Acting Police Chief Gary McCullough stated Coos Bay Municipal Code 9.20.020, Discharge of Weapons, Section (2)(a), sets the boundary for the legal discharge of shotguns within the city limits for the purpose of waterfowl hunting by licensed hunters during waterfowl hunting season. Stuart Love from the Oregon Department of Fish and Wildlife, stated the boundary set by City ordinance was the Isthmus Slough channel on the west, the natural extension of "A" Street to the south, the dike on the east, and the city limits to the north. In October of 2006 the Oregon Department of Fish and Wildlife Commission (ODFW) adopted an addition to the Oregon Administrative Rule 635-051-0048(5) recognizing the city code. Since the ordinance was enacted, homes have been constructed within the boundary limits and the Millicoma football field and estuary trails were developed whereby creating a conflict. The boundary line was proposed to be moved north to run along the Marshfield channel east to where it intersects with the Cooston channel and then north to include the islands within the city limits. The proposed change would eliminate waterfowl hunting from the uplands in the Eastside area and not impede waterfowl hunting below the high tide line nor from the bay by boat along the Marshfield channel. Councilor Daily suggested there may be an additional safety issues along the boundary lines of East Bay Drive on the east. Councilor Kramer moved to direct staff to set a public hearing to move the southern boundary line as presented and solicit input from the public. Councilor Pundt seconded the motion which carried with Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye. Mayor McKeown was absent.

Enactment of an Amending Ordinance for the Towing of Illegal Vehicles – This Would Require Enactment of the Proposed Amending Ordinance

City Manager Rodger Craddock stated on February 2, 2010 the Council approved amending Coos Bay Municipal Code Chapter 10.40 addressing the removal of vehicles located on a public street when presented as a hazard or abandoned. Councilor Kramer moved to enact the ordinance to amend the existing ordinance addressing the removal of vehicles located on a public street when presented as a hazard or abandoned. Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 421 was enacted by the following vote:

Aye: Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt
No: None
Absent: Mayor McKeown

**Enactment of an Amending Ordinance for the
Mandatory Minimum Fine for Skateboards – This Would Require
Enactment of the Proposed Amending Ordinance**

City Manager Rodger Craddock stated on February 2, 2010 the Council approved amending Coos Bay Municipal Code Chapter 10.30 to align the mandatory minimum fine, regarding the use of skateboards and roller skates, with current Oregon Revised Statutes. Councilor Pundt moved to enact the ordinance to align the mandatory minimum fine regarding the use of skateboards and roller skates with current Oregon Revised Statutes. Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 422 was enacted by the following vote:

Aye:	Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt
No:	None
Absent:	Mayor McKeown

**Update on the Pre-Design of Wastewater Treatment
Plant No. 2 by City Engineer Carl Nolte**

City Engineer Carl Nolte stated a work order dated September 2009 issued to the Engineer of Record, Civil West Engineering, directed the preparation of a pre-design report for Wastewater Treatment Plant No. 2. Subsequent to commencing the pre-design report several issues changed necessitating the City's review of the location of the existing Plant No. 2. Issues include changes in Dept. of Environmental Quality (DEQ) requirements; issues not addressed in the 2004 Plant No. 2 Facilities Plan such as changes in the condition of the facility; expansion limitations due to insufficient land and wet land regulations; and the difficulty in constructing new facilities on the existing site while continuing operations. Mr. Nolte stated one option to consider would be to relocate Plant No. 2 to the north spit. This location would remove the discharge of treated sewer from the bay and provide future expansion opportunities. The cost benefits associated with the changes needed at the existing site would increase design and construction costs and potentially reduce operational costs. Mr. Nolte stated conducting a feasibility study would assist in determining the most economical and beneficial options for long term capital expenditures. Councilor Pundt asked the cost of the feasibility study wherein Mr. Nolte stated the cost would be on an hourly basis, not to exceed \$63,000, \$3,000 allowance for reimbursable expenses, and a \$7,500 contingency for a total of \$73,500. Mr. Nolte stated the feasibility study would be prioritized to eliminate "deal breaker" tasks which would preclude the north spit option. If such a task was found to not be economically feasible, the feasibility study would be discontinued and the focus changed back to expansion of the existing site. Councilor Kramer moved to approve the feasibility study on an hourly basis, not to exceed \$63,000, \$3,000 allowance for reimbursable expenses, and \$7,500 contingency for a total of \$73,500. Councilor Daily seconded the motion which carried with Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye. Mayor McKeown was absent.

**Update on Fire Station #1 Construction Project by
Architect Joe Slack**

Joe Slack of HGE stated painting was completed upstairs, installation of window trim ongoing; permanent power connection to be completed within two weeks; gypsum board installation

underway in the bays; Donnelly Street awaiting the asphalt plant to reopen; contingency available \$270,513; LEED Gold certification obtainable with 39 points, Platinum certification obtainable with 52 points and current points between 47 to 57. Councilor Daily suggested not spending the entire contingency and returning the balance. Councilor Daily questioned why the contingency was less than the difference between the original bond amount and the original construction bid. Mr. Slack stated there was no intention of spending funds unnecessarily, change orders are at approximately 4%, and he would provide a detail of expenditures. Mr. Slack confirmed the Platinum LEED level would be acceptable to the Council.

Public Comments

Gino Landrum, 63281 Clover Drive, Coos Bay: Thanked the Council for work completed in the downtown area, listed various completed projects, and would like to see the downtown boardwalk connect Coos Bay and North Bend.

City Attorney's Report

City Attorney Nate McClintock stated Will Wright and the Rental Association were contacted for input with regards to the business license clarifications.

City Manager's Report

City Manager Rodger Craddock stated he attended timely training regarding budget and economic development.

Council Comments

Councilor Pundt noted the February 14th Register Guard article addressed safe routes for school children with the use of flashing lights, and was pleased the Boat Building Center's grand opening coincided with the 2010 Clamboree festival. Councilor Daily stated there would be a Lab Band concert at the Egyptian Theatre on April 25th. Council President Eck invited the public to the open house for the new fire station on March 7th, Sunday, between 10:00 a.m. and 2:00 p.m. Councilor Kramer thanked Mr. Tom Hall for his letter thanking the Council for their work.

Adjourn

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting was scheduled for March 16, 2010 in the Council Chambers at City Hall.



Jeff McKeown, Mayor

Attest: 

Rae Lea Cousens, City Recorder