

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

**November 1, 2011**

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 Crystal Shoji and Councilors Jennifer Groth, Joanie Johnson, Stephanie Kramer, Gene Melton, John Muenchrath, and Mike Vaughan. City staff present were Public Works and Development Director Jim Hossley, City Attorney Nate McClintock, Acting Finance Director Susanne Baker, Fire Chief Stan Gibson, Police Captain Chris Chapanar, Code Enforcement Officer Lisa Magill, and Police Chief Gary McCullough.

### **City Council Interviews**

At 6:30 p.m. prior to the start of the regularly scheduled Council meeting, the City Council interviewed Daniel Baumann and Dr. Charlie Sharps for one opening on the Board of the Coos Bay-North Bend Water Board.

### **Flag Salute**

Mayor Shoji opened the meeting and asked Lisa Magill to lead the Council and assembly in the salute to the flag

### **Public Comments**

Stacy Bear, Coos Bay: Stated she has been involved with the occupied protest on the Boardwalk, attended an educational seminar, and would like to be on a board that serves in an advisory capacity to the Council.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of October 18, 2011. Councilor Kramer moved to approve the consent calendar approving the minutes of October 18, 2011. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

### **Presentation of Appreciation Certificate Award to Nathan Clausen**

Public Works and Development Director Jim Hossley presented an appreciation of service plaque to Nathan Clausen for serving on the Parks Commission from December 2008 to October 2011 and the Tree Board from February 2009 to October 2011 as a Parks Commission representative.

### **Introduction of New Employees**

Public Works and Development Director Jim Hossley introduced three new employees for the Public Works Department. Lisa Ekelund was hired to fill the Code/Planning Specialist position;

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Nathan Clausen was hired in the Streets Department as a Lead Maintenance Worker II position; and Jessica Spann joined the Engineering Department to fill the Engineering Technician position.

### **Introduction of School District #9 Superintendent and Discussion of Facilities Needs and Vision Process**

School District #9 School Board member Rocky Place introduced School District #9 Superintendent Dawn Granger. Councilor Johnson asked Ms. Granger why the parking lots were full at Marshfield on Fridays a non-school day. Ms. Granger stated staff has been working on Fridays. Councilor Muenchrath asked the current graduation rate. Ms. Granger stated Marshfield was in the 70<sup>th</sup> percentile, and she would like to improve the graduation rate into the 80 and 90<sup>th</sup> percentile. Councilor Vaughan stated he would like to see School District #9 create an environmental sustainability program on Fridays for students. Ms. Granger stated there has been discussion with local groups, the Northwest Youth Corps, and students to formulate ideas to start a program and encourage students to be involved in scientific studies.

Mr. Place reported the Facility Planning Committee (FPC) was created by the Coos Bay School District #9 Board of Directors to develop and maintain long range plans and advise on matters that affect the District's real property. Mr. Place stated the committee has been working on a capital facilities program to finance and construct school facilities to serve our children in an efficient manner. Mr. Place stated the task force also educates the public on the condition of the facilities and has a mission to obtain community input to determine where the community would like to see the schools in the future. Mr. Place estimated placement of a bond measure for school facilities would be placed on the ballot in 2012.

Councilor Vaughan stated he would like to see a community approach to planning. Councilor Kramer stated she has participated in the SMART Reader program and would like to see a separate reading area in the schools for those types of programs.

### **Appointment to the Coos Bay-North Bend Water Board**

Prior to the Council meeting, the City Council interviewed two applicants for one appointment to the Board of the Coos Bay-North Bend Water Board. The opening would complete Mike Helfrich's remaining term through December 31, 2014. Applications were received from Daniel Baumann and Dr. Charlie Sharps. The Council appointed Dr. Charlie Sharps to the Coos Bay-North Bend Water Board by Council ballot for a term ending December 31, 2014.

### **Consideration of Park Rules Revision of Open Hours**

Police Chief Gary McCullough provided a brief overview of Section (3) of the Current Municipal Code 12.35.020 for Park Regulations which limits all parks as day use only with the exception of the Coos Bay Boardwalk and the Empire and Eastside boat ramps. Chief McCullough stated all of the City parks are located in residential areas and it was probable that extending the park hours would result in disturbance or noise complaints from adjacent residents and would increase operations and maintenance expenses due to criminal mischief. Councilor Muenchrath stated because of his extended working hours, he often takes his dog for a walk at night in the park and would like to do so without breaking the law. Councilor Muenchrath would

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like to maximize personal freedoms; and would like to see the hours extended for a six month trial period. Councilor Johnson suggested extending the time period to one year rather than six months. Councilor Vaughan suggested if an area was used by more people there would likely be less crime. Councilor Groth asked if there was a curfew for youth wherein Police Captain Chapanar stated midnight until 3:00 a.m. Councilor Groth asked if the lights remained on in the parks all night wherein Mr. Hossley stated yes. Councilor Groth asked the hours of the parks wherein Police Captain Chapanar stated all parks are closed from dusk to dawn except the Coos Bay Boardwalk and the Empire and Eastside boat ramps; and Mingus Park, which is open until 11:00 p.m. Councilor Kramer suggested if a park has lights it should be open; and if there was an increase in crime, close the park from dusk until dawn immediately and do not wait a year to review the decision.

Councilor Muenchrath made a motion to extend the open hours of Mingus Park to 24 hours and evaluate the decision in one year. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

The consensus of the City Council was for the Parks Commission to provide input and ideas on how to measure what would be considered positive and negative activity as a result of the extended hours in Mingus Park.

### **Presentation of the City's Nuisance Ordinance**

Police Captain Chris Chapanar provided a PowerPoint presentation on the various sections of the Coos Bay Municipal Code 8.10 on Public Nuisances. Code Enforcement Officer Lisa Magill and Police Captain Chapanar explained the differences between the City of Coos Bay's municipal code and other similar cities; provided examples of before and after compliance with code enforcement; and staff answered questions regarding specific examples. Ms. Magill stated her experience has found that consistent compliance results best in establishing a relationship with citizens, utilizing recycling, suggesting ways to make money by disposing of rubbish, and using willing neighbors to help resolve a neighborhood nuisance. Police Captain Chapanar stated one-third of all code complaints are citizen driven; there have been 310 new code violation cases this year with 302 successfully resolved; an average of 33 letters per month are sent to owners requesting compliance; and an average of 34 sites are re-inspected each month.

### **Consideration of Acceptance of Donation of Property**

Public Works and Development Director Jim Hossley stated an attorney representing a landowner of two residential lots abutting Mingus Park, north of the tennis courts on West Park Roadway, contacted staff about donating the lots to the City. The owner did not present any stipulations for the donation other than paying off the current year property taxes. Mr. Hossley noted the lots were steep and would be difficult to develop in their entirety, but suggested there was the potential for some useable land along the southern part of the lots. The proposed land donation was brought before the Parks Commission on October 13<sup>th</sup> and was unanimously recommended to accept the donation. Mr. Hossley stated the assessed value of the two undeveloped lots was \$46,530, and the estimated cost to acquire the parcels was \$425.99. Councilor Muenchrath moved to direct staff to proceed with the acceptance of the land donation

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subject to a clean title report, pay the tax assessment in the amount of \$425.99, and to authorize the City Manager to sign all documents necessary to execute the transfer of ownership to the City of Coos Bay. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

**City Attorney's Report**

City Attorney Nate McClintock stated social gaming has arisen as an issue and defined social gaming. Mr. McClintock stated gambling was illegal in Oregon; however, social gaming was not. The problem arises when a business tries to establish social gaming under the confines of their business with the intention for profit. While the social games can be held in a business establishment, the business was prohibited from receiving profit directly from the event. Profit may be made of the sale of ancillary services such as food or drink sales. Additionally, the players cannot be associated with the business and are placing their own money at risk.

**City Manager's Report**

No report was given.

**Council Comments**

Councilor Johnson reminded everyone to shop local. Councilor Melton stated there was good attendance at the last Eastside Neighborhood Watch meeting. Councilor Vaughan reported the Weed Advisory Board was working with School District #9 and would be working on a plan to encompass the entire county. Mayor Shoji was pleased to see all of the trick-or-treaters downtown; reminded the Council of the George Kramer training for the Egyptian Theatre Preservation Association on November 10<sup>th</sup>; and stated she and Councilor Melton attended Manos Unidos and received an award for the City of Coos Bay for recognition of diversity.

**Adjourn**

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for November 15, 2011 in the Council Chambers at City Hall.

Attest:

  
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Susanne Baker, Acting City Recorder

  
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Crystal Shoji, Mayor