

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 3, 2012

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 Library Meeting Room, 525 Anderson Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Crystal Shoji and Councilors Jennifer Groth, Jon Hanson, Gene Melton, John Muenchrath, and Mike Vaughan. Councilor Stephanie Kramer was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Public Works and Development Director Jim Hossley, Planning Administrator Laura Barron, Library Director Sami Pierson, Fire Chief Stan Gibson, Communications Supervisor Tessa Cupp, and Police Chief Gary McCullough.

Flag Salute

Mayor Shoji opened the meeting and asked Peggy Thornton, Coordinator for the Coos Bay School District's Talented and Gifted (TAG) program and all of the TAG students to lead the Council and assembly in the salute to the flag.

Public Comments

Larry Bowers Sr., Coos Bay: suggested using recycled asphalt from the Empire Boulevard improvement project to improve the sidewalks along 101 near the Mill Casino. City Manager Rodger Craddock advised he would pass the information to City of North Bend. Suzan and Ken Beyer, Coos Bay: expressed concern about the amount of litter along Ocean Boulevard, Central Avenue and the downtown area; inquired if the City had a litter patrol. Mayor Shoji thanked the Beyer's for bringing the need for litter cleanup to the communities' attention and noted there was a citywide cleanup scheduled for April 28th. Joyce Clark, Coos Bay: requested the Council to pass an ordinance banning any signs (election, garage sale, advertising, etc.) on Ocean Boulevard between 19th Street and Woodland Drive. Mr. Craddock advised per City ordinance the Public Works Department would remove signs that cause a visibility problem.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of March 6 and 20, 2012. Councilor Muenchrath moved to approve the consent calendar approving the minutes of March 6 and 20, 2012. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

Consideration of Approval of a National Public Health Week Proclamation by Coos County Friends of Public Health President Lindi Quinn

Coos County Friends of Public Health President Lindi Quinn stated the National Public Health Proclamation would encourage healthy living in our community with a goal of helping Americans be more focused on preventing illness and enhancing overall health and wellbeing. Ms. Quinn

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read the proclamation aloud, declaring April 2-8, 2012 as National Public Health Week. Ms. Quinn noted this year's theme was "A Healthier America Begins Today" and provided a brief overview of the Coos County Public Health program. Councilor Melton moved to approve the National Public Health Week proclamation. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

Presentation on the Results of a Student Survey on Waterfront Uses and Consideration of Approval of a Resolution to Support a Coos Waterfront Walkway Partnership

Councilor Groth stated prior to joining the City Council she served on the Coos Waterfront Walkway Partnership (CWWP) which was formed to research ideas on a walkway that would connect the City of Coos Bay and the City of North Bend to enhance the waterfront and allow pedestrians to walk along the bay. Councilor Groth stated she collaborated with Talented and Gifted (TAG) Coordinator Peggy Thornton on a civic project in which TAG students from the Milner Center Program conducted a survey of students to inquire what types of things young people in the community would like to see on the waterfront. TAG students from the Milner Center Program provided a presentation on their survey of the Coos Bay Waterfront. Suggestions included a candy shop, restaurant, art studio/art work, adding plant life, additional lighting, a public restroom, and a jogging path; activities included fishing, free boat rides, and periscope to see underwater.

Councilor Groth advised the CWWP was currently working under a grant from the National Park's Service to develop a concept plan; in order to move forward with the waterfront plan, the CWWP requested all members to approve a resolution to set priorities for development, consent to pursue grant funding, and agree to collaborate on identified funding requests. Future plans included grant writing to secure funding for planning in order to develop a construction budget and move forward with the project. Councilor Groth briefly reviewed the program's priorities, and public meeting results. Mayor Shoji suggested the Bay Area Chamber of Commerce, and the Confederated Tribes should be included in the project. Councilor Vaughan suggested if the current rail line was not feasible to maintain it would be a viable use for a walkway. Councilor Melton moved to approve the Coos Waterfront Walkway Partnership Resolution 2012-01 Approving and in Support of the Funding for Priority Project Areas. Councilor Vaughan seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

Public Hearing on a Proposed Plan Amendment from "Residential Low-density (R-L)" to "Commercial (C)" and from "Single-family and Duplex Residential (R-2)" to "General Commercial (C-2)" Zone Designation for Property Located at 490 Fulton Avenue – Approval Would Require Enactment of the Proposed Ordinances

Planning Administrator Laura Barron read the public hearing disclosure aloud and stated on March 13, 2012 the Planning Commission unanimously recommended approval of the proposal to change the .12 acre subject property from plan designation "Residential Low-density (R-L)" to "Commercial (C)" and from "Single-family and Duplex Residential (R-2)" to "General Commercial (C-2)" zone designation. The subject property, located on the southeast corner of Fulton Avenue and S. Marple Street, was described as Lot 2, Block 98, First Addition to Empire and was currently developed with a single-family dwelling. Ms. Barron advised the City of Coos

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Bay was the applicant and owner and the City proposed the re-designations in order to assemble the subject property with the remainder of the adjacent city block for the purpose of developing a wastewater treatment facility. Cost for the development would be reduced because of the close proximity of the two acres to the existing facility. Minimal changes would be required to redirect wastewater collection systems from the existing wastewater treatment plant (WWTP) to the location east of S. Empire Boulevard. Ms. Barron stated to the east and southeast of the subject property was residentially zoned and developed property; to the west was the existing WWTP facility, single-family dwellings, and an art gallery zoned commercial; to the north was the remainder of the adjacent city block, which was undeveloped, and further north was undeveloped Webster Avenue and an RV park all zone commercial.

Mayor Shoji opened the public hearing and inquired if any Council member had a bias or conflict of interest to report; no bias or conflict was reported by members of the Council. No comments were given and the hearing was closed.

Councilor Muencharth moved to enact the ordinance based on the findings and conclusions set forth in the Planning Commission's Final Recommendation to approve the plan map amendment to change the designation from "Residential Low-density (R-L)" to "Commercial (C)". Councilor Melton seconded the motion. Deputy Finance Director Amy Kinnaman read the ordinance by title only and Ordinance No. 445 was enacted by the following vote:

Aye:	Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan
Nay:	None
Absent:	Councilor Kramer

Councilor Melton moved to enact the ordinance based on the findings and conclusions set forth in the Planning Commission's Final Recommendation to approve the zone change to change the designation from "Single-family and Duplex Residential (R-2)" to "General Commercial (C-2)". Councilor Muenchrath seconded the motion. Deputy Finance Director Amy Kinnaman read the ordinance by title only and Ordinance No. 446 was enacted by the following vote:

Aye:	Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan
Nay:	None
Absent:	Councilor Kramer

Ms. Barron stated there would be a 21 day appeal period from the date the decision was placed in writing. City Manager Rodger Craddock stated the current tenant renting the home on the wastewater treatment plant property had given notice they would be vacating the property and it was the City's intent once the property was vacated to sell the modular home to the highest bidder and have it removed from the site.

Presentation on the National Telecommunicator's Week Proclamation by Police Chief Gary McCullough

Police Chief Gary McCullough stated in 1991, Congress proclaimed the second week of April of each year was to be dedicated to the men and women serving as public safety

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telecommunicators. The proclamation would identify the City of Coos Bay as a community that recognizes the important contributions public safety telecommunicator's make each day. Chief McCullough introduced Communications Supervisor Tessa Cupp. Ms. Cupp and Mayor Shoji read the proclamation aloud, declaring April 8-14, 2012 as National Telecommunicator's Week. Councilor Melton moved to approve the National Telecommunicator's Week proclamation. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

Presentation on the Child Abuse Presentation and Awareness Month Proclamation by Police Chief Gary McCullough

Police Chief Gary McCullough stated by Presidential Proclamation since 1983, the month of April has been known as National Child Abuse Prevention Month. During the month of April, victims, service providers, criminal justice members, allied professionals, and community volunteers join together to raise awareness about child abuse and how to prevent it. Chief McCullough introduced Michelle Nicolaus from the Coos Bay Child Abuse Intervention Center. Ms. Nicolaus and Mayor Shoji read the proclamation aloud, declaring April as Child Abuse Prevention and Awareness Month. Councilor Muenchrath moved to approve the Child Abuse Prevention and Awareness Month proclamation. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent. Ms. Nicolaus advised tomorrow was the National Day of Hope; 162 pinwheels would be placed in front of the Child Abuse Intervention Center building to honor all the children seen by the center in 2011. Chief McCullough advised in observation of National Child Abuse Prevention Month the City would be placing blue lights on a tree located in the Pedway and noted a sign would be placed in front of the tree marking it as the "Tree of Hope".

Presentation on the National Library Week Proclamation by Library Director Sami Pierson

Library Director Sami Pierson stated National Library Week was a national observance sponsored by the American Library Association (ALA) and libraries across the country each April. The proclamation would identify the City of Coos Bay as a community that recognized the importance of public libraries. Ms. Pierson and Mayor Shoji read the proclamation aloud, declaring April 8-14, 2012 as National Library Week. Councilor Muenchrath moved to approve the National Library Week proclamation. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

Award of Emergency Contract to Johnson Rock

Public Works and Development Director Jim Hossley stated on March 21, 2012 a Life Care Center representative notified the City of a slope failure; the Life Care Center was located at 2910 Ocean Boulevard. Sometime during the early morning the slope located on the south side of the facility, east of the driveway and north of Ocean Boulevard, failed and a large amount of stormwater runoff from the failure was entering into the facility's parking lot. City staff immediately responded and installed pumps at two upstream manholes to attempt to relieve the system of stormwater runoff. Pursuant to the City's emergency contracting rules, staff

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requested emergency repair quotes from two local contractors in effort to mitigate potential damage to the Life Care facility, underground utilities, and the adjacent sidewalk. Johnson Rock provided the lowest quote of \$49,999 which included a contingency of replacing up to 80 lineal feet of sidewalk. Councilor Groth inquired since the repair was made during the rainy season if it would compromise the long term quality of the repair. Mr. Hossley stated he had no concerns for the long term quality of the repair.

Councilor Hanson stated he did business with and knew the owners of with Johnson Rock and wished to recuse himself from voting. City Attorney Nate McClintock stated a Council member could abstain from voting if there was a conflict based on financial interest in which a Council member or their family member had a personal financial interest. Mayor Shoji inquired if Councilor Hanson could make a fair decision or if he felt there was a conflict of interest. Councilor Hanson stated he was comfortable making a decision. Councilor Muenchrath moved to approve the award of the emergency contract (after the fact) for the storm drain repair adjacent to the Life Care Facility to Johnson Rock for \$49,999 pursuant to the Emergency Contract rules found in Section 11 of the City of Coos Bay Ordinance O-365. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

Approval of the American Federation of State, County, and Municipal Employees (AFSCME) Fiscal Year 2012-2016 Collective Bargaining Agreement

City Manager Rodger Craddock stated the labor contract between the City and the American Federation of State, County, and Municipal Employees (AFSCME) union was slated to expire on June 30, 2012. Currently AFSCME represented a total of 28 city employees: Three in the Finance Department, eight in the Library, sixteen in the Public Works and Development Department (Parks, Streets, Engineering, and Planning) and one in the Police Department (Code Enforcement Officer). Mr. Craddock, Finance Director Susanne Baker, Public Works and Development Director Jim Hossley, Library Director Sami Pierson, and City Attorney Nate McClintock met with the AFSCME's Bargaining Team Members on February 14, March 6, and March 20, 2012. Prior to the meeting with the AFSCME's Bargaining Team, the City requested a review of the current Collective Bargaining Agreement (CBA) by labor attorneys with the Local Government Personnel Institute (LGPI); a number of suggested non-economic language changes were made for the purpose of clarification and administration of the CBA.

Based on the meetings, several tentative agreements were made subject to the approval of the Council. Under the proposed contract, bargaining unit members would receive a cost of living increase of 2.7% effective July 1, 2012 and for the subsequent years of 2013, 2014, and 2015 cost of living increases with a minimum of 2% and a maximum of 5% each year which would be equal to the US CPI-W-Size B/C, January of the previous year to January of the current year. Proposed vacation changes included an addition of 1.67 hours of vacation per month for unit members with more than twenty-five years of service. Clothing and uniform changes would provide unit members working in the Streets, Parks, Engineering, and Shops division a reimbursement of up to \$175 per year for the purchase of work related footwear which met the minimum safety standards. The Continuing Education Incentive would provide reimbursement of up to \$750 for bargaining unit members completing approved college level course work relevant to the employee's role in the organization. Mr. Craddock provided the Council with a brief overview of potential budget implications for the fiscal years of the proposed contract and

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noted the AFSCME union had already met and ratified the contract. Councilor Melton moved to approve the tentatively negotiated contract changes and to allow the City Manager to sign a new four year FYE 2012-2016 labor contract with the American Federation of State, County, and Municipal Employees Council 78, AFL-CIO. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

Consideration of Approval of the 2011-2013 Regional Hazmat Contract

Fire Chief Stan Gibson stated in 1992, the Coos Bay Fire Department entered into an agreement with the State of Oregon's Office of the State Fire Marshal to provide a Regional Hazardous Materials Emergency Response Team (RHMERT). Mr. Gibson advised the 2011-2013 agreement was delayed due to a review of all RHMERT contracts by the state. Per the contract the state would provide up to \$72,654 for equipment, training, outreach programs, and medical surveillance for team members; the team was comprised of both active and volunteer firefighters from Coos Bay, North Bend, and Coquille. Mr. Gibson stated the RHMERT's area of responsibility was from the southern Lane County line to the California border and from the Pacific Ocean inward to the Douglas County limit signs; on average the team was called out twice a year for events such as an unknown chemical or for accident response involving a vehicle carrying hazardous materials. Councilor Muenchrath inquired as to the total cost of the 1.5% premium pay. City Manager Rodger Craddock advised the 1.5% premium pay was governed by the Fire Department's collective bargaining agreement and agreement with the State provided the City reimbursement of the 1.5%. Mayor Shoji moved to approve the City Manager to sign the agreement with the State of Oregon's Office of State Fire Marshal for a two year continuation of the Regional Hazardous Materials Emergency Response Team. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer was absent.

City Attorney's Report

City Attorney Nate McClintock stated he was happy the AFSCME negotiations were complete.

City Manager's Report

City Manager Rodger Craddock was pleased to report the City was awarded a \$2.1 million dollar grant from the Oregon Department of Transportation (ODOT) for work on S. Empire Boulevard. Improvements to S. Empire Boulevard included widening the roadway, the addition of sidewalks, bicycle lanes, improved landscaping, and additional parking. Councilor Vaughan inquired if the design work for the S. Empire Boulevard project was completed by ODOT. Public Works and Development Director advised the project would be overseen by ODOT's regional office in Roseburg and noted OBEC and Civil West Engineering completed the design work. City Manager Rodger Craddock requested the communities support in completing two ongoing surveys available on the City's website for the marketing study for Egyptian Theatre and the Parks Masterplan.

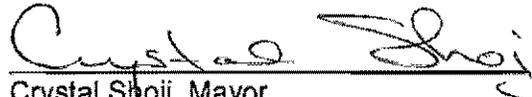
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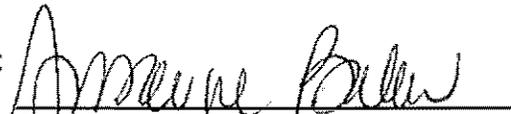
Councilor Hanson thanked everyone who participated in the American Federation of State, County, and Municipal Employees (AFSCME) negotiations. Councilor Muenchrath expressed his thanks for the presentation provided by Talented and Gifted (TAG) students from Milner Center Program. Councilor Vaughan advised a Field Guide to Weeds on the Oregon Coast would be available at the Weed Advisory Booth at the upcoming Home and Garden Show. Mayor Shoji suggested the American flags along the waterfront should be switched to the International flags in anticipation of the upcoming arrival of the Tall Ships; noted the current American flags were in need of replacement. City Attorney Nate McClintock advised there was a resolution in place which required the American flags to remain in place along the waterfront until all American Soldiers were brought home; City Manager Rodger Craddock advised the resolution would be brought before the Council for future consideration.

Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for April 17, 2012 in the Meeting Room at the Coos Bay Public Library.


Crystal Shoji, Mayor

Attest:


Susanne Baker, City Recorder