

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 21, 2013

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 Mark Daily, Jennifer Groth, Stephanie Kramer, Gene Melton, John Muenchrath, and Mike Vaughan. City staff present were City Manager Rodger Craddock, Deputy Finance Director Amy Kinnaman, Public Works and Development Director Jim Hossley, Fire Chief Stan Gibson, and Police Chief Gary McCullough.

### **Executive Session**

At 6:30 p.m. prior to the start of the regularly scheduled City Council meeting an executive session was held pursuant to ORS 192.660 (2) (h) for consultation with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. No decisions were made. Councilor Muenchrath entered the meeting at 6:35 p.m. and Councilor Vaughan entered the meeting at 6:39 p.m.

Due to the length of the executive session meeting the start of the regularly scheduled City Council meeting was delayed until 7:35 p.m.

### **Flag Salute**

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

### **Public Comments**

William MacDonald, Coos Bay: expressed concern about various infrastructure and building code issues throughout Coos Bay; provided the City Manager with a packet of information and requested the City's discretion in use of the information provided.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of May 7, 2013 3b: acceptance of the April 2013 accounts payable and payroll check registers; 3c: acceptance of the April 2013 combined cash report; 3d approval of ratification of North Bend's appointment to the Coos Bay Library Board; 3e approval of the annual Library District contract; and 3f: approval of annual OLCC license renewals for Bi-Mart, Elk's Lodge, Englewood Market, Fred Meyer, Lighthouse Grocery and Deli, Red Lion Inn, Silver Dollar Tavern, and T n T Market. Councilor Melton moved to approve the consent calendar approving the minutes of May 7, 2013, accepting the April 2013 accounts payable and payroll check registers, accepting the April 2013 combined cash report, approving ratification of North Bend's appointment to the Coos Bay Library Board, approving the annual Library District contract, and approving annual OLCC license renewals for Bi-Mart, Elk's Lodge, Englewood Market, Fred Meyer, Lighthouse Grocery and Deli, Red Lion Inn, Silver Dollar Tavern, and T n T Market. Councilor Kramer seconded the

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motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

### **Public Hearing to Consider Approval of a Supplemental Budget Appropriating the Major Capital Fund Carryover – Approval Would Require Adoption of Resolution 13-09**

Public Works and Development Director Jim Hossley stated earlier this year the motor in the City's 23-year old brush mower tractor motor failed and was in disrepair. Pursuant to Section 2 of the City's contracting rules, Mr. Hossley requested the Council to authorize a special procurement process to purchase a reasonably priced used or new brush mower. The estimated replacement cost was \$70,000 and in order to ensure adequate funds were available Mr. Hossley requested the Council to hold a public hearing in consideration of adopting a supplemental budget. Mayor Shoji opened the public hearing. No public comments were given and the hearing was closed. Councilor Daily moved to adopt Resolution 13-09 and to authorize a specific special procurement process to purchase a tractor and brush mower not to exceed a total cost of \$70,000. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

### **Consideration of Approval of a Draft Ordinance Regulating the Sale or Resale of Certain Used Merchandise and Licensing Secondhand Property Dealers and Gem and Precious Metal Dealers – Approval Would Require Enactment of the Proposed Ordinance**

Police Chief Gary McCullough stated the purpose of the amendment was to assist the Police Department in regulating certain business activities that presented extraordinary risk of being used by criminals to dispose of stolen property. Chief McCullough briefly explained the current time consuming process for managing/tracking the sales of pawned property; requested the Council consider amending the existing ordinance to require secondhand property dealers to enter and upload the specified regulated property they received each day into an automated upload system.

Brent Banks, Portland: stated he was retired City of Portland Police Officer who currently managed the City of Portland's Regional Automated Property Information Database (RAPID); briefly explained how the system worked for the City and property dealers. Rick Tillett, Coos Bay: expressed privacy and security concerns on behalf of his customers due to the transmission of their personal information over the internet and about police seized items; suggested the ordinance lacked coverage of other businesses which also purchased or traded second hand property; spoke in support of implementation of the automated program. Councilor Muenchrath requested an itemized list of costs associated with implementing the new program for the City and property dealer requirements as well as public input on proposed changes to the ordinance. Ken Lawrence, Coos Bay: stated he owned Hole in the Wall Gun Shop; expressed concern about the financial burden due to the proposed requirement to sequester items for fourteen days; requested the Council consider changing the proposed ordinance to not include tracking fire arms and motor vehicles; was not in support of the automated program. Christopher Barbie, Coos Bay: stated he was the owner of Empire Fire Arms; what items were required to be reported in the system; inquired if an itemized list of required reportable items would be provided to the dealers; also expressed concern about the fourteen day hold requirement. Joseph Anderson, Coos Bay: expressed privacy and security concerns with the transmission of his personal information over the internet.

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It was the consensus of the Council to direct staff to provide an itemized list of costs associated with implementing the new program for the City and property dealer requirements as well as gather public input on proposed changes to the ordinance for future consideration.

### **Review of the Solid Waste Franchise Agreement**

City Manager Rodger Craddock provided a brief overview of the purpose of license and franchise agreements. Mr. Craddock stated during the Council's 2013 Goal Setting Work Session, Councilor Daily requested a review of the City's Solid Waste Franchise because of his belief that citizens were best served by allowing a periodic competitive bidding process. Mr. Craddock reviewed a recently conducted rate survey of 27 jurisdictions (including Coos Bay) for weekly curbside pickup of a 32/35 gallon can of garbage; noting Coos Bay rates were below the average rates of other communities. Should the Council wish to entertain proposals for solid waste providers in the near future, the Council would need through Council action to notify the current franchisees of their decision not to allow the Franchise to automatically extend. Councilor Melton spoke in support of the existing services and agreements. No decisions were made. Councilor Daily moved to end the contract at this point in time, to not extend for an additional seven years. Councilor Muenchrath seconded the motion which failed with Councilors Daily and Kramer voting aye and Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting nay. Pete Smart, Coos Bay: spoke on behalf of Waste Connection and stated he valued being able to work with the Community and Council to have a long term goal to work together.

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

No comments were given.

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

City Manager Rodger Craddock announced Board openings on the Building & Fire Board of Appeal, Library Board, Urban Renewal Advisory Committee, and Street Task Force.

### **Council Comments**

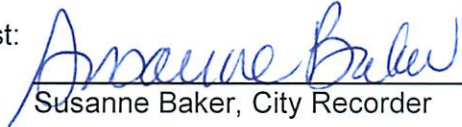
Councilor Melton announced the Coos Bay Memorial Day Parade would be held on Saturday, May 25<sup>th</sup> at 11:00 a.m.; invited everyone to come down and enjoy the parade; stated on Monday, May 27<sup>th</sup> three different flag ceremonies were scheduled in honor of Memorial Day. Councilor Groth stated the Coos Bay-North Bend Water Board budget meetings budget message reported 200 fewer customers; on June 8<sup>th</sup> nine new murals would be added to the 2<sup>nd</sup> Court mural project. Councilor Daily requested staff look into maintaining the former Red Neck Motor/City owned property location. Councilor Muenchrath requested staff look into placing a crosswalk in front of Bay Area Hospital between the clinics. Mayor Shoji expressed concern about the City of Coquille transporting homeless persons to Coos Bay against their will; reported she was working with Jun Mokudai, Oregon Business Representative in Japan and suggested cleaning up and updating the area around Choshi Gardens; suggested adding an interpretive sign to the Prefontaine memorial at the Visitor's Center to recognize the Prefontaine memorial in Choshi Japan.

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**Adjourn**

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for June 4, 2013 in the Council Chambers at City Hall.

Attest:

  
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Susanne Baker, City Recorder

  
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Crystal Shoji, Mayor