

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

**December 17, 2013**

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, 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, and Gene Melton. Councilors John Muenchrath and Mike Vaughan were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Library Director Sami Pierson, Public Works Director Jim Hossley, Fire Battalion Chief Dan Crutchfield, and Police Chief Gary McCullough.

### **City Council Interviews**

At 6:30 p.m. prior to the start of the regularly scheduled Council meeting, the Council interviewed applicants for the Planning Commission. No decisions were made.

### **Flag Salute**

Mayor Shoji opened the meeting and asked Boy Scout Troop 68 to lead the Council and assembly in the salute to the flag. Katie Prince, Scout Master for Coos Bay Troop 68 stated the troop was attending a public meeting in effort to earn their communications merit badge.

### **Public Comments**

No comments were given.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of December 3, 2013; 3b: acceptance of the November 2013 accounts payable and payroll check registers; and 3c: acceptance of the November 2013 combined cash report; 3d: ratification of Joe Monahan's re-appointment to the Visitor & Convention Bureau Board as the hotel industry representative; 3e: ratification of Pam de Jong's appointment to Visitor & Convention Bureau Board as the Bay Area Chamber of Commerce's representative; and 3f: appointments of Councilors Gene Melton and Mike Vaughan to the County Urban Renewal Agency Board. Councilor Groth moved to approve the consent calendar approving the minutes of December 3, 2013, accepting the November 2013 accounts payable and payroll check registers, and accepting the November 2013 combined cash report, ratifying Joe Monahan's re-appointment to the Visitor & Convention Bureau Board as the hotel industry representative, ratifying Pam de Jong's appointment to the Visitor & Convention Bureau Board as the Bay Area Chamber of Commerce's representative, and appointing Councilors Gene Melton and Mike Vaughan to the County Urban Renewal Agency Board. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, and Melton voting aye. Councilors Muenchrath and Vaughan were absent.

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### **Presentation of Appreciation Plaque for Peter Cooley**

City Manager Rodger Craddock stated Peter Cooley served on the Budget Committee from February 2009 through December 2013. Mayor Shoji presented Mr. Cooley with an appreciation plaque. Mr. Cooley stated he learned a lot and was grateful for the opportunity to serve.

### **Public Hearing to Consider Approval of a Webster Legislative Text Amendment Application**

Public Works Director Jim Hossley stated applicants Jon and Patricia Webster were requesting approval to enlarge the Downtown Parking District to include their properties located at 165 South 5<sup>th</sup> Street and 540 Anderson Avenue in the Central-Commercial (C-1) zoning district. Staff recommended a denial of the application based upon the proposal findings that the applicant did not meet the required criteria in the Coos Bay Municipal Code (CMBC) Chapter 17.380 Amendments to the Plan and/or this Title; specifically: *"The council shall take action only after making findings of fact which establish: (1) For a proposed title text amendment: (a) An acceptable rationale which supports the need for the amendment; and (b) The amendment complies with the applicable provisions of the comprehensive plan."* The Planning Commission disagreed with staff's conclusion at their November 12, 2013 meeting and voted unanimously to recommend approval of the text amendment to the City Council. Staff conducted a general parking analysis of the downtown parking area and found the following: based on the square footage and uses in the district, at full build out of the area, the district will have a shortage of 1,160 parking spaces when taking into account both on-street and off-street and public and private parking. Based on the findings and the applicants' submitted evidence, staff recommended the Council deny the code amendment (#187-ZON2013-020) requesting the expansion of the Downtown Parking District in the Central-Commercial (C-1) zone.

Mayor Shoji opened the public hearing. No comments were given and the hearing was closed. Councilor Daily suggested developing a process for expanding the parking district. City Manager Rodger Craddock stated the parking district was developed in the 1960's to provide parking for business owners and employees in the downtown area. Mayor Shoji was interested in viewing the application submitted by the Webster's; noted the Planning Commission's minutes were not included and they submitted no findings for the Council to consider. Councilor Daily moved to deny the code amendment 187-ZON2013-020 requesting the expansion of the Downtown Parking District in the Central-Commercial (C-1) zone and to direct staff to start working with the Planning Commission to develop criteria within the development code to allow orderly and thoughtful expansion of the Empire and Downtown Parking Districts. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, and Melton voting aye. Councilors Muenchrath and Vaughan were absent.

### **Consideration of Appointments to the Planning Commission**

City Manager Rodger Craddock stated the City received two applications for appointment to the Planning Commission to fulfill two openings on the Committee. Applications were received from Jim Berg and Jeff Marineau requesting to be considered for re-appointment. Councilor Kramer moved to re-appoint Jim Berg and Jeff Marineau to four-year terms (each) ending December 31, 2017. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors

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Daily, Groth, Kramer, and Melton voting aye. Councilors Muenchrath and Vaughan were absent.

### **Presentation of the System Development Charges Annual Report**

Finance Director Susanne Baker advised Oregon Revised Statute (ORS) 223.311 required local governments to provide an annual accounting of system development charges (SDC's) showing the total amount of SDC revenues collected for each system and the projects that were funded in the previous fiscal year. Ms. Baker reported the fund balances for the Transportation SDC, Wastewater SDC, and Stormwater SDC; noted the City of Coos Bay did not collect nor expend any SDC's during the last fiscal year and revenues received were limited to interested earned based on the balance of each fund. Councilor Groth moved to accept the annual system development charges report. Councilor Kramer seconded the motion. Councilor Daily inquired if consideration of SDC fees would be on a future agenda whereby City Manager Rodger Craddock advised the Finance Committee was scheduled to consider the matter. A call for the question was made which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, and Melton voting aye. Councilors Muenchrath and Vaughan were absent.

### **Award of Construction Manager/General Contractor (CMGC) Services for Proposed Wastewater Treatment Plant No. 2 (WWTP#2)**

Public Works Director Jim Hossley stated staff received three proposals for CMGC contracting services for the WWTP#2 project; Mortenson Construction, Slayden Construction Group, Inc., and Wildish Construction. Mr. Hossley advised a selection committee was formed consisting of himself (Jim Hossley), Jennifer Wirsing, Randy Dixon, and Charleston Sanitary representatives (Steve Majors with the Dyer Partnership and the District's Manager, John Chirrick). The selection committee reviewed the proposals and performed interviews with each contractor and recommended awarding the CMGC services contract to Mortenson Construction. Mr. Hossley stated the contract would only be for pre-construction services; upon completion of 90% design, a guaranteed maximum price (GMP) would be determined by Mortenson. Mortenson would conduct an open bid process for the project and determine a GMP. Upon completed of the open book bid process, the city would negotiate the general conditions and a GMP for the project would be established.

Mr. Hossley highlighted the advantages of utilizing Mortenson for CMGC contracting services and noted they had the lowest construction management percentage and the lowest insurance rate percentage. Mr. Hossley provided the Council with a breakdown cost analysis of CMGC contracting services; noted the proposed contract was based on time and materials. Councilor Daily stated five years ago the project was estimated to cost \$40 million dollars; expressed concern about continued sewer rate increases to cover future costs. City Manager Rodger Craddock advised water rates increased by 4% and sewer increased 6.5% on annual basis to cover long term capital improvements by the Water Board and City. Councilor Groth moved to award CMGC Services for the proposed Wastewater Treatment Plant #2 project to Mortenson Construction. Councilor Melton seconded the motion. Councilor Groth amended the motion to include a not to exceed contract amount of \$130,258. Councilor Melton re-seconded the motion which carried with Mayor Shoji and Councilors Groth, Kramer, and Melton voting aye and Councilor Daily voting nay. Councilors Muenchrath and Vaughan were absent.

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### **Approval of Purchase for a Police Patrol Vehicle and Safety Equipment**

Police Chief Gary McCullough stated the Police Department maintained a vehicle replacement schedule in order to have a fleet of vehicles suitable for emergency police operations. During fiscal year 2013/2014 the department was scheduled to replace three police services vehicles. However, due to budget concerns staff re-evaluated and was requesting to purchase the following: one (1) 2014 Chevrolet Caprice with necessary safety equipment to put into service as a police administrative vehicle. Funds for the purchase were budgeted in the Major Capital Reserve Fund 34; the estimated cost to purchase the 2014 Chevrolet Caprice PPV with the necessary specialized safety equipment was approximately \$33,000. Councilor Kramer moved to approve the purchase of one (1) Chevrolet Caprice PPV and necessary specialized safety equipment through the State of Oregon Cooperative Purchasing Program at a total cost not to exceed \$33,000. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, and Melton voting aye. Councilors Muenchrath and Vaughan were absent.

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

No comments were given.

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

City Manager Rodger Craddock stated the Egyptian Theatre Preservation Association (ETPA) would be asking the Urban Renewal Agency's consideration for up front grant funding so the ETPA could move forward with bids for engineering services for external façade improvements; announced the City's American Federation of State, County, and Municipal Employees (AFSCME) Union members and the South Coast Horizons were collecting canned and non-perishable food items for The Salvation Army to distribute to those in need in our community. Coos Bay's professional firefighters teamed up with Coos Bay volunteer firefighters this year to provide food and gifts to 10-12 needy families; the Coos Bay Police Officers Association (CBPOA) members purchased Christmas gifts for nine children who were victimized this past year and also provided food boxes to the children's families.

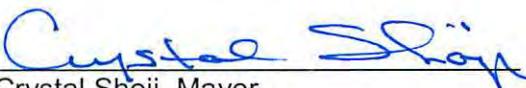
### **Council Comments**

Councilor Kramer stated she recently volunteered time sorting food at the ORCA Food Bank and encouraged others to help support the food bank. Mayor Shoji stated she received several emails about Public Works employee Nate Clausen's heartfelt efforts to save a swan at Mingus Park that was frozen in the water during the recent cold weather; stated the Prefontaine Memorial that was sent to Coos Bay's sister city, Choshi Japan was recently vandalized; the City and Prefontaine Committee were working to get a replacement.

### **Adjourn**

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for January 7, 2014 in the Council Chambers at City Hall.

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Crystal Shoji, Mayor

Attest:   
Susanne Baker, City Recorder