

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

September 2, 2014

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, Councilors Brian Bowers, Jennifer Groth, Stephanie Kramer, Thomas Leahy, and Mike Vaughan. Councilor Mark Daily was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Library Director Sami Pierson, Public Works Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

### **City Council Meet and Greet**

At 6:40 p.m., prior to the start of the regularly scheduled Council meeting, the Council held a meet and greet with the Coos Bay Downtown Association and Tree Board Representatives. No decisions were made.

### **Flag Salute**

Mayor Shoji opened the meeting and asked Robert Cribbins to lead the Council and assembly in the salute to the flag.

### **Public Comments**

Connie Stopher, Coos Bay: Represented the South Coast Development Council, provided a generalized update on contacts over the last month which included discussions with potential new businesses to our area. Robert Cribbins, Coos Bay: Reminded of the Farmer's Market; and discussed vehicle violations and the lack of attention by drivers for pedestrian safety.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of August 19, 2014. Councilor Groth moved to approve the consent calendar approving the minutes of August 19, 2014. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Daily was absent.

### **New Council Business**

Councilor Kramer stated Councilors Leahy and Daily met with the Coast Guard regarding their property along Hwy 101 to improve curb appeal.

### **Presentation on the Retirement of Police and Fire Chaplin Jerry Hamilton**

Police Chief Gary McCullough stated Dr. Jerry Hamilton was recruited into the City of Coos Bay's Chaplain program in 1995 and organized the group, wrote bylaws and guidelines, and

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developed relationships with the area public safety departments. Mr. McCullough stated Dr. Hamilton announced his retirement from the Chaplain program; Lieutenant Kevin Pope of the Salvation Army accepted the responsibilities to serve as the new Chaplain Program Coordinator. Mayor Shoji presented a shadow box/plaque to Dr. Hamilton and thanked him for his service.

### **Appointment of Sarah Crawford to the Tree Board as the Coos Bay Downtown Association's Representative**

The Tree Board, established by Ordinance 181, provided regulation for the planting and protection of trees and shrubs within the City of Coos Bay. The Board consisted of seven members appointed by the City Council which meet on an as-needed basis. Beth Clarkson was appointed as the Coos Bay Downtown Association (CBDA) representative in May of 2012 but was not been able to attend meetings. The CBDA recommended appointment of Sarah Crawford to fulfill the unexpired term ending June 30, 2016.

Councilor Kramer moved to appoint Sarah Crawford to fulfill the unexpired term of Beth Clarkson ending June 30, 2016. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Daily was absent.

### **Mayor's Appreciation Award to the Egyptian Theatre Preservation Association**

City Manager Rodger Craddock stated on May 7, 2002, former Mayor Benetti instituted the "Mayor's Appreciation Award" to formally recognize citizens for extraordinary contributions to the community. In August of 2014 Mayor Shoji expressed her desire to recognize and thank members of the Egyptian Theatre Preservation Association (ETPA) for their unwavering support, tireless energy, and countless effort to restore, preserve, reopen, and once again manage the Egyptian Theatre for the betterment of the community. Mayor Shoji presented the Mayor's Appreciation Award to the ETPA.

### **Approval of the Egyptian Theatre Management Agreement**

City Manager Rodger Craddock stated the Coos Bay Urban Renewal Agency owned the Egyptian Theatre and had contracted with the Egyptian Theatre Preservation Association (ETPA) to manage and operate the theatre since 2007. Mr. Craddock presented a new management agreement for consideration and highlighted the deleted moratorium clause which did not allow movies newer than five years old to be shown; amended the roles of the URA designees to the ETPA Board; amended liability insurance requirements to meet current requirements; affirmed the City's maintenance responsibility of the facility for compliance with the public procurement process and building codes; and added a section to automatically terminate the management agreement upon the transfer of ownership to the ETPA. Mr. Craddock suggested a further amendment to include a standard financial best practice section to align with other City/Agency management agreements.

Councilor Groth moved to approve the new management agreement with the ETPA. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Daily was absent.

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**Public Hearing to Consider Amending the City's Uniform and Specialty Code Ordinance to Replace the Building and Fire Code Board of Appeals with an Appointed Hearings Officer – Approval Would Require Enactment of the Proposed Ordinance**

City Manager Rodger Craddock stated due to the difficulty of finding interested citizens to appoint to the Building and Fire Code Board of Appeals, staff drafted an ordinance to replace the Building and Fire Code Board of Appeals with a Hearings Officer. Other proposed changes included updating the department title contained within the ordinance to “Community Development Department”. Mayor Shoji opened the public hearing. No public comments were given and the hearing closed.

Councilor Kramer moved to enact the proposed ordinance replacing the Building and Fire Code Board of Appeals with a Hearings Officer and updated the department title within the ordinance to Community Development Department. Councilor Groth seconded the motion. Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 463 was enacted by the following vote:

Aye:	Mayor Shoji and Councilors Bowers, Groth, Kramer, Leahy, and Vaughan
Nay:	None
Absent:	Councilor Daily

**Approval of the Solid Waste Rate Adjustment – Approval Would Require Adoption of Resolution 14-17**

City Manager Rodger Craddock stated Councilor Daily was absent due to unforeseen circumstances and Councilor Daily requested the agenda item be held until the next meeting. Mayor Shoji asked Mr. Craddock to provide the background information in the staff report. City Manager Rodger Craddock stated staff received a request for a 1.9% rate increase from Coos Bay Sanitary and Les' Sanitary Services. The increase would result in a \$0.37 cent rate adjustment for a basic 35 gallon cart and would be effective October 1, 2014. At the August 19, 2014 Council meeting the agenda item was held over until September 2<sup>nd</sup> to allow time for additional financial information to be provided by the solid waste providers. Waste Connections Inc. provided a written document which addressed the questions posed by Councilor Daily (franchisee's current and projected revenues and expenses; overhead; acquisition and replacement cost of equipment; cost of providing added or different service; reasonable return to the franchisee for doing business; research and development by the franchisee; and such factors relevant to determine rates).

Councilor Vaughan moved to adopt Resolution 14-17 to increase the solid waste fee. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Daily was absent.

City Manager Rodger Craddock stated Councilor Daily requested an executive session regarding franchises and City Attorney McClintock would be researching statutes and would provide information at a later date.

**Approval of Night Time Work on the Ocean Boulevard Water Main Replacement Project**

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Public Works Director Jim Hossley stated the Coos Bay North Bend Water Board (CBNBWB) applied for a permit to work in the right of way to upgrade a water line on Ocean Blvd from Woodland Avenue west to the Water Board property. On August 21, 2014 the (CBNBWB) determined night time work would be required however City ordinance Chapter 9.20, Offenses Against Public Peace, Section 7, prevented excavation during the hours of 6 p.m. and 7 a.m., unless approved by City Council. Mr. Hossley stated the work was verbally approved based upon a cost and construction timing issue for the (CBNBWB) and requested the Council's approval allowing night time work to occur. Coos Bay North Bend Engineer Ron Hoffine discussed the project and the need to perform the work at night.

### **Presentation on Results of the Library Location Survey by Library Director Sami Pierson**

Library Director Sami Pierson stated during the May 20, 2014 City Council meeting the consensus was to seek feedback from the community regarding the future of the Library building. The Coos Bay Library Board held two public meetings to discuss the criteria for locating a new library building of which approximately 65 interested parties attended. The meetings resulted in 13 main criteria being developed. A survey for further input into the 13 main criteria was developed of which 115 people participated. The main criteria developed what was important to the community and included: location in the downtown area, access to high speed internet, near an open area/park, near schools, near emergency services, cost effective for construction, out of the flooding/tsunami inundation zone, assist with the economic stability and growth of the downtown, accessible by foot and bicycle, be on seismically stable land, large enough to accommodate present and future needs, and be accessible to public transportation.

### **Establishing a Library Facilities Committee**

City Manager Rodger Craddock stated on April 1, 2014 the City Council received the results of a structural and geotechnical investigation of the Coos Bay Library which revealed the foundation had failed. The cost to correct the structural failure was estimated at \$6.3 million. On May 20, 2014 consensus of the City Council was to obtain public input on generally where the library should be relocated. On August 15, 2014 consensus of the City Council was to form a Library Facility Steering Committee to assist the City through the process of securing a new library facility. Staff and the Library Board proposed the Library Facility Steering Committee serve in an advisory capacity to the City Council and be comprised of two members from the Coos County Library Board, two members of the Coos Bay Library Board, and two members of the Friends of the Library.

Councilor Vaughan and Groth stated they would be interested in being appointed to the Library Facility Steering Committee. Mayor Shoji stated she would also be interested and would attend but not as an appointed member. Robert Cribbins asked if a member of the community could be appointed and Mayor Shoji requested he contact Councilor Groth or Vaughan for meeting dates.

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

No comments were given.

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### City Manager's Report

City Manager Rodger Craddock stated a portion of the back parking lot at City Hall was repaved and the Library parking lot restriped at no cost to the City courtesy of Knife River. Mr. Craddock stated the City's street assessment would commence this fiscal year and Public Works would provide information for an award for the project at an upcoming meeting; engineering standards and the street trench cut policy continue to be refined to ensure longevity for the infrastructure and would be brought to Council for adoption; staff would be working with the League of Oregon Cities (LOC) to remove the moratorium on system development charges; a special Council meeting would be on Sept. 30<sup>th</sup>, 5:30 p.m., in the gym at Sunset Middle School to discuss Wastewater Treatment Plant No. 2 design options; a meeting would be set for the Boardwalk Flag Committee; and a meeting would be set for the Finance Committee to discuss the review of the building codes and planning fees.

### Council Comments

Councilor Leahy attended the Tall Ships convention in California and he believed Coos Bay would be considered as a possible location for a future Tall Ships convention. Councilor Vaughan mentioned the recent Eugene Register Guard article and its application to the Front Street waterfront; discussed the no wake zone in the bay; discussed the concerns of the Friends of Mingus Park regarding fishing, fishing gear use at Mingus Park lake, and what type of fish were in the pond; and tenured his resignation on the Tree Board and Parks Commission to allow time for his appointment to the Library Facility Steering Committee. Mayor Shoji discussed the Council Promotions Committee; and the formation of Council goals, Councilor involvement to ensure the goals are accomplished, and achieving community buy-in.

### Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for September 16, 2014 in the Council Chambers at City Hall.

  
Crystal Shoji, Mayor

Attest:   
Susanne Baker, City Recorder