

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 30, 2015

The minutes of the proceedings of a special 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 Fred Brick, 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, Deputy Finance Director Amy Kinnaman, Planning Administrator Tom Dixon, Public Works Director Jim Hossley, Wastewater Project Engineer Jennifer Wirsing, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

### **Flag Salute**

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

### **Public Comments**

No comments were given.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of June 2, and June 16, 2015; 3b: acceptance of the May 2015 accounts payable and payroll check registers; 3c: acceptance of the May 2015 combined cash report; 3d: approval of Extended Service Office – Coos County Library District's (ESO – CCLSD) subscription to the online computer library center (OCLC); 3e: approval of Oregon Liquor Commission Control (OLCC) license renewals for 7 Devils Brewing Co., Bayshore Chevron; Best Western Holiday Motel; Black Market Gourmet, Captain's Cabin, Coach House, Coney Station, Inc., Cranberry Sweets, Inc., Dave's Pizza, Eagles Lodge #538, Empire Café LCC, EZ Thai Restaurant, Fast Mart, Hair Co. ECT Salon & Day Spa, Lighthouse Grocery & Deli, Little Italy Italian Restaurant, Ma's Garden Restaurant, Outdoor-In, Puerto Vallarta Restaurant, Pueblo Nuevo 2 Mexican Restaurant, Red Lion Hotel, Safeway Store #1556, Smith's Bayway Market, and Sumin's Restaurant, and; 3f: ratify appointment of Julie Graham to the Urban Renewal Advisory Committee. Councilor Groth moved to approve the consent calendar approving the minutes of June 2, and June 16, 2015, accepting the May 2015 accounts payable and payroll check registers, accepting the May combined cash report, approving the ESO – CCLSD subscription to OCLC, approving OLCC license applications for 7 Devils Brewing Co., Bayshore Chevron; Best Western Holiday Motel; Black Market Gourmet, Captain's Cabin, Coach House, Coney Station, Inc., Cranberry Sweets, Inc., Dave's Pizza, Eagles Lodge #538, Empire Café LCC, EZ Thai Restaurant, Fast Mart, Hair Co. ECT Salon & Day Spa, Lighthouse Grocery & Deli, Little Italy Italian Restaurant, Ma's Garden Restaurant, Outdoor-In, Puerto Vallarta Restaurant, Pueblo Nuevo 2 Mexican Restaurant, Red Lion Hotel, Safeway Store #1556, Smith's Bayway Market, and Sumin's Restaurant, and ratifying appointment of Julie Graham to the Urban Renewal Advisory Committee. Councilor Kramer seconded the motion which carried with

## City Council Minutes – June 30, 2015

Mayor Shoji and Councilors Brick, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Daily was absent.

### New Council Business

No new council business was presented.

### Review of Mingus Park Geese Survey Results

Public Works Director Jim Hossley stated on April 21, 2015, the City Council discussed the issue of abandoned domestic geese in Mingus Park. Over the past several months, City staff received several calls from the public concerned about the aggressive behavior of the geese. Mr. Hossley stated the Parks Commission also considered the issue and recommended the geese be removed from Mingus Park. Staff made contact with the Oregon Department of Fish and Wildlife (ODF&W) and Oregon Department of Agriculture (ODA) and found ODF&W did not regulate or manage domesticated waterfowl issues and ODA had no history of dealing with this type of scenario. ODA did provide information regarding avian influenza and suggested the City contact James Hermes, Extension Poultry Specialist at Oregon State University of Animal and Rangeland Sciences in Corvallis. Mr. Hermes did not have any suggestions for changing the birds' behaviors but did recommend the following three options: Leave things as they were but make sure patrons were aware the geese were aggressive; confine the geese to a portion of the park to keep them away from patrons, or remove the birds to a farm with the means to care for them. A proposed compromise was to swap the birds with ducks which were typically not as aggressive.

Mr. Hossley stated the wild geese and a large goose population was not currently a problem at Mingus Park. The geese in question were primarily the domestic waterfowl that were illegally abandoned by their owners (less than a dozen). Mr. Hossley reviewed a list of steps taken by other communities to remedy issues with problem waterfowl; noted staff also conducted a seven day online survey to gather public opinion on the matter. The survey received 329 responses with additional opinions written in the World newspaper or received by telephone or email by City staff. The majority opinion was in favor of removing the domesticated geese from Mingus Park; with most only wanting the geese removed if they were adopted. Staff also received input from the Friends of Mingus Park (FOMP) and individuals in favor of keeping the geese in Mingus Park suggesting park users should learn to co-exist with the geese. Mr. Hossley stated on June 16, 2015 the Parks Commission made the following recommendations: they were opposed to any fencing and barriers of any kind to the Choshi Gardens; recommended at least two signs be placed at either end of Mingus Park stating the harmful effects of feeding waterfowl (similar to the one FOMP used as an example from Eugene), and; for the safe and humane removal of the geese by adoption or by the discretion of the City Council.

Kristi Kelty, spoke on behalf of FOMP: read a letter regarding the groups desire to care for the waterfowl in the park, including the geese; suggested the City's survey on geese in Mingus Park was misleading and not neutral; proposed installation of educational signage and a protected area sanctuary (low fence) for the geese. Suzanne Ross, Coos Bay: spoke in favor of keeping the geese in the park. Debra Miranda, Coos Bay: expressed concern about animal cruelty; supported installation of a protected area for the geese. Ralph Mohr, Coos Bay: shared several concerns about various personal encounters with the geese in Mingus Park; supported removal

## **City Council Minutes – June 30, 2015**

of the geese. Christine Cole, Coos Bay: stated she lived across from Mingus Park; never seen geese abuse in the park; noted she personally had been bitten and chased by the geese in park; was in favor of the geese being adopted. Dorothy Gillhoover, Coos Bay: stated she frequented Mingus Park to see the geese; suggested people could walk around their block if they did not want to encounter geese. Paul Scott, Coos Bay: spoke in favor of keeping the geese in the park. Lynn Davies, Bandon: stated she frequented Mingus Park with her grandchildren and never had any problems with the geese.

Councilor Kramer suggested the park should be available for use by everyone. Mayor Shoji was not in favor of a fence around the park; supported installation of educational signs and relocating the geese. Councilor Brick suggested relocation was in the best interest of the geese. Councilor Leahy expressed concern about the excessive amount of bird droppings; was in support of the Parks Commission recommendation. Councilor Groth also supported the Parks Commission recommendation (removal of the domesticated geese, and installation of educational signs). Councilor Vaughan inquired if the City had regulations about abandoning domesticated geese in the park; suggested tracking and monitoring the geese population.

Councilor Groth moved to adopt the Parks Commission's recommendations for the Mingus Park geese which included placing educational signage and the safe and humane removal of the geese by adoption. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Brick, Groth, Kramer, and Leahy voting aye and Councilor Vaughan voting nay. Councilor Daily was absent. City Manager Rodger Craddock suggested implementing regulations on illegal abandonment of animals. Mayor Shoji requested staff look into adding ducks at Mingus Park. Councilor Vaughan asked for a staff report on the water quality and management of the ponds at Mingus Park.

### **Approval of Correction to Vehicle Replacement Purchase Price for Extended Service Office**

Public Works Director Jim Hossley stated at the March 17, 2015 City Council meeting staff presented a request to purchase an Isuzu N-Series Van for the Extended Service Office (ESO) in the amount of \$48,250. The amount listed was a typo, the actual price to purchase was \$48,781. In addition to the purchase price, other purchases were made to suit the ESO's specific use for the vehicle. Items purchased included safety equipment and graphics which totaled approximately \$3,600. Total cost of the vehicle was \$52,381. Mayor Shoji moved to approve the revised staff report to outfit the vehicle for a total not to exceed \$52,381. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Groth, Kramer, Leahy, and Vaughan voting aye and Councilor Brick voting nay. Councilor Daily was absent.

City Attorney Nate McClintock exited the meeting at approximately 8:01 p.m. and returned at 8:03 p.m.

### **Consideration for Approval of the Wastewater Treatment Plant No. 2 Outfall Repair**

Public Works Director Jim Hossley provided the Council with a brief history of the City's National Pollutant Discharge Elimination System (NPDES) permit renewal process for Wastewater Treatment Plant No. 2 (WWTP#2). Due to inconsistencies between original outfall diffuser configuration as observed in a dive report performed in 2009 and the 1975 Record Drawings, it

## **City Council Minutes – June 30, 2015**

was concluded for the purposes of modeling an accurate mixing zone a new dive inspection should be performed. The City contracted with a diver in April 2015 and received their dive report in late May 2015. The report identified significant deterioration of the outfall since the 2009 investigation. The outfall was constructed with five diffusers at the end of the pipe that introduced the treated effluent into the bay and established the dilution rates. The dive investigation determined that two of the ports were silted up, two were damaged, and one had broken off. In addition, there was a three to four inch gap in the top of the pipe near the end of the outfall.

Staff immediately contacted the Department of Environmental Quality (DEQ) to inform them of the deteriorated outfall and to work with them on a solution. Staff also coordinated with CH2M Hill on the results of the dive investigation. After two conference calls with City staff, DEQ, and CH2M Hill it was recommended an interim fix needed to be performed on the diffuser until a permanent fix could be designed, permitted, funded, and constructed. Staff requested a proposed scope of work from CH2M Hill for the preparation and permitting of an interim fix for the outfall along with performing a revised mixing zone study analysis based on the repairs. It was estimated the construction cost for the interim repair would not exceed \$70,000. Wastewater Project Engineer Jennifer Wirsing stated the City was working with DEQ on a five to ten year fix; purpose of immediate repair was to get the dilution rates needed for the NPDES permit; the NPDES permit for WWTP#2 was pending and the mixing zone study was required to ensure the City would meet the permit requirements. Ms. Wirsing stated the City was in the planning stage and was working with engineers to find cost effective, preliminary and long-term repair options. Councilor Vaughan inquired as to the operations process for the outfall diffuser. Mayor Shoji and Councilor Vaughan requested photos or mapping of the existing outfall diffuser. Denny Powell, Coos Bay: recommended the Council not approve the proposed outfall repair. No decisions were made.

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

No comments were given.

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

No comments were given.

### **Council Comments**

Councilor Brick: was pleased with the new fencing along Highway 101. Councilor Groth: stated she would email the Council regarding upcoming committee meetings on researching gas tax options and the Community Enhancement Plan Workgroup's open house events. Councilor Kramer: was pleased with the outcome of the recent Clamboree event in Empire. Mayor Shoji: also liked the new fencing along Highway 101 and reminded everyone of the upcoming 4<sup>th</sup> of July events in Mingus Park.

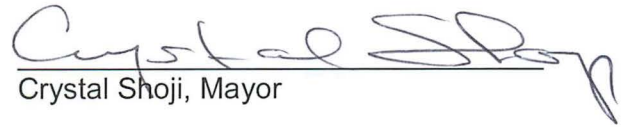
**City Council Minutes – June 30, 2015**

**Adjourn**

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for July 7, 2015 in the Council Chambers at City Hall.

Attest:

  
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Susanne Baker, City Recorder

  
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Crystal Shoji, Mayor