

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

August 29, 2017

The minutes of the proceedings of a City Council and Urban Renewal work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 pm in Fire Station No. 1 Conference Room - 450 Elrod Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, and Phil Marler. Councilors Jennifer Groth and Stephanie Kramer were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Public Works and Community Development Director Jim Hossley, Planning Administrator Tom Dixon, Wastewater Project Engineer Jennifer Wirsing, and Police Chief Gary McCullough.

Review of the Following Council/URA Agenda

Mayor Benetti opened the meeting for review of the September 5, 2017 items.

Consideration of a Facade Improvement Grant for 791 N. Front Street

Planning Administrator Tom Dixon stated the applicant for 791 N. Front Street requested a facade improvement grant to repair the exterior stucco, repaint and replace gutters and down spouts. The Design Assistance Team (DAT) met on August 17, 2017 to review the final submittal and recommended award of the project as submitted.

The property, located in the Waterfront Heritage District and the floodplain, would be monitored to verify continued compliance with the City's Flood Damage Prevention Ordinance (CBMC 17.347). The Facade Improvement Program would provide a 50/50 grant (based on the lowest bid) with a maximum grant award of \$25,000 per fiscal year. Three bids were obtained: stucco repair and repainting (\$800, \$870.20 and \$912) and the gutters and downspouts (\$7,800, \$8,210, and \$10,250) for a combined lowest bid total of \$8,600.

Consideration of Approval of a Text Amendment to the Coos Bay Municipal Code Definition Substantial Improvement - Approval Would Require Enactment of the Proposed Ordinance

Wastewater Project Engineer Jennifer Wirsing stated the Land Development Code for the City of Coos Bay was enacted on February 16, 2016 and required a text amendment to update the language to be consistent with the Federal Emergency Management Agency (FEMA) position on redevelopment in the floodplain and to protect the City's interests against FEMA enforcement actions. The Planning Commission met on August 8, 2017 and recommended approval of the proposed language.

The City of Coos Bay, as the applicant, would propose to broaden the definition of 'substantial improvement'¹ as stated in Chapter 17.149 Definitions. The addition, placed between subsections (2) and (3) would state:

"In any one-year period, if improvements to the structure total more than 50% of the value of the structure, the structure will be required to be brought up to current floodplain management standards. The one-year period will be a rolling period and start at the completion, or date of finalization, of the oldest improvement within the last 365-day period. At the end of each improvement, the structure must be deemed habitable as defined by the Oregon Building Code."

Approval of a Contract Amendment with Stantec for Brownfields Project

Public Works and Community Development Director Jim Hossley stated the City of Coos Bay was awarded an Environmental Protection Agency (EPA) Community Wide Assessment Brownfields grant and the Council approved a contract for \$375,800 with Stantec Consulting Services on November 18, 2014. Stantec would implement a community environmental assessment, planning, community outreach, and other environmental and planning components, entirely funded from the EPA grant proceeds.

The City of Coos Bay was also awarded a State of Oregon Business Oregon Brownfields Redevelopment Fund grant for \$25,000 to complete integrated planning activities associated with addressing redevelopment barriers impacting both public and private properties located along the Front Street waterfront corridor (Front Street Pedestrian Connectivity Study and updated Front Street Master Plan). The work associated with this grant would supplement the work financed by the EPA grant and was also awarded to Stantec. The fee for this work was not included in the original contract with Stantec and the action would ratify the contract for transparency.

Approval of an Initiation of a Proposed Vacation of Hemlock Avenue

Public Works and Community Development Director Jim Hossley stated the owners of the property on both sides of the platted Hemlock Avenue right-of-way between North Front Street and the bay submitted an application to vacate the Hemlock Avenue right-of-way. The applicants proposed the area to be used in conjunction with future development. The applicant requested the City Council initiate the vacation by a majority vote without a petition or consent of property owners and prior to giving public notice. This option was allowed by the Coos Bay Municipal Code (CBMC) Chapter 17.345.020 Initiation.

Approval of Weekend and Night Construction Work on Plant 2 Expansion Project

Public Works and Community Development Director Jim Hossley stated typically, construction activity would be performed Monday through Friday between the hours of 7 am and 6 pm. At the February 7, 2017 City Council meeting, construction weekend work for the Plant 2 Expansion Project was approved in an effort to maintain the construction schedule with a limited duration of no more than ten weekends. To date, the project has expended eight of the ten weekends with the construction being approximately 30% complete. In an effort to maintain the scheduled completion date of September 2018, staff on behalf of the City's contractor, requested approval to work an additional ten weekends and ten nights.

Update on the Fats, Oil, and Grease Program

Wastewater Project Engineer Jennifer Wirsing stated in a July work session staff presented the City Council information on the development of a Fats, Oil, and Grease (FOG) program. The City Council directed staff to move forward and prepare an ordinance and program which identified

food service establishments through the business license renewal process. After internal staff discussions and a review of the capabilities of the business license software program, the software program in place would be a viable mechanism to track food service establishments. Staff proposed to postpone implementation of a FOG program until November of 2018 to allow staff to develop an ordinance for review and approval, prepare a program for implementation, educate the public, and to setup the software to manage the program.

Approval of an Intergovernmental Agreement with Port of Coos Bay for Engineering Services for the Earthen Berm Repair

City Manager Rodger Craddock stated the earthen berm on the east side of the Coos Bay Rail yard had deteriorated and sloughed into the bay to the point that portions of the City's walkway on top of the berm had begun to fail. The berm was owned by the Oregon International Port of Coos Bay (Port) and the City of Coos Bay owned and maintained the walkway on top the berm. The City and the Port entered into a memorandum of understanding (MOU) to jointly engage an engineering firm to evaluate and prepare the necessary engineered plans to restore the berm. The Port agreed to share the cost for the initial engineering which was expected to be approximately \$23,000 for the Agency.

Amendment to the Downtown Urban Renewal Plan - Approval Would Require Adoption of Resolution 17-20

City Manager Rodger Craddock stated in 2015 the Urban Renewal Agency (Agency) commenced the process to update the Downtown Urban Renewal Plan by reviewing the goals, objectives, and projects and proposing revisions. The Agency met on June 27, 2017 with URA consultant Elaine Howard to review and consider the projects accomplished since the last revision and to discuss proposed revisions. The final revisions were incorporated into a document and reviewed at the July 25, 2017 work session. Through consensus, the proposed revisions were drafted into an amendment to the Plan for the Agency's consideration.

Approval of a Proclamation Renaming the Pedway to Preway

Public Works and Community Development Director Jim Hossley stated there had been interest in doing a special tribute to Steve Prefontaine for at least the last 15 years according to members of the Prefontaine Foundation. The renaming of the Pedway to Preway would further the theme of Coos Bay's promotion of the Pre legacy. To this day, Steve Prefontaine retained name recognition world-wide and with it, his origin in Coos Bay. The Preway, with the pending mural, would provide a tribute to the Pre legacy.

Councilor DiNovo suggested going forward and based upon comments she has received, more public input for projects should be received. Ultimately the final decision would be that of the Council to select the artwork.

Other Business

Councilor DiNovo suggested moving the directional signage to get to the RV dump.

City Manager Rodger Craddock stated the punch list items for the Empire Blvd improvement project continued to be addressed as well as a storage trailer and view issue along the new section of street.

Homeless Discussion:

Mayor Benetti selected three individuals from the audience who raised their hands to speak as representatives on the homeless and transient issue. Mayor Benetti stated further discussion on the matter would be at the September 19, 2017 regular Council meeting.

Mary Brandon stated transients were being bussed in from other areas; concerned about transients living in public spaces throughout the City, she had many pictures of transients disembarking from the bus system, concerned about the public health (needles and sanitation), concerned about the lack of jail space, requested help from the City, questioned why those committing crimes were not in jail, and suggested to stop enabling the homeless and transients with social services.

Mayor Benetti stated the jail had no control over the City and income status did not dictate who was kept in jail. Those who commit serious crimes were kept in the jail and the County was working on resolution. Police Chief McCullough stated those who were cycling through the jail system were locals with drug addiction who committed crimes to support their habit. The transients were not those committing the repetitive and majority of robberies and car thefts.

Mayor Benetti stated the discussions between various concerned groups and the government agencies would help to work towards taking care of the problem in the best way possible.

Councilor Kilmer asked if the group had possible solutions. Ms. Brandon stated the enabling had to stop so that the transients would help themselves. Councilor Farmer stated he worked professionally with those in homeless camps who want to work and noted barriers to their obtaining employment.

Councilor DiNovo stated the Mission and THE House had standards of conduct in place to allow benefits to transients which could be a model throughout the City for other nonprofits to help address the issue.

Mayor Benetti stated he researched programs in Portland where there was a facility to help transients who wanted to achieve a more productive lifestyle. Finding a building to house and aid in rehabilitating homeless had proved difficult. A collaborative effort of all of the nonprofits to work together in such a facility would be a solution. City Manager Rodger Craddock stated ordinances were being looked into that could assist and meet constitutional thresholds. Mr. Craddock discussed the different regulations between private and governmental entities regarding the homeless and transients to camp on private and public lands.

Florence Brazil, stated she lived behind the old Gussie's and her house was broken into recently. Ms. Brazil described an incident with a transient who invited her to his tent. Ms. Brazil stated she was afraid to go to John Topits park.

Police Chief McCullough discussed the code enforcement activities on bank foreclosed properties where squatters were taking over houses. In such an instance, it was the property owner that would need to call and trespass the transients. Councilors discussed their personal encounters and crimes committed upon them to demonstrate their support and concern of the growing homelessness and transient issues.

Wim deVriend stated there were camp fires in the transient camps at the end of Elrod which needed to be stopped noting fire conditions were high.

Rob Taylor stated he did not trust the County and thought a tax base for the Sheriff's Department would best support the jail and deputies. Stated the City's urban renewal funds should be spent to stop the homelessness instead of on a facade program. Mayor Benetti asked Mr. Taylor if he would help in a

campaign to support such bond measure wherein Mr. Taylor replied that was something the Council should do instead.

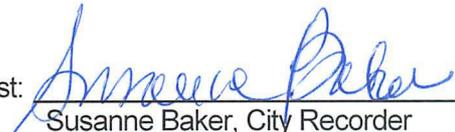
Councilor Marler stated the Council was concerned about the issues brought up; encouraged those present to work with the City and to not take matters into their own hands.

Executive Session

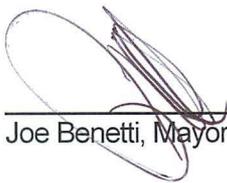
An executive session was held pursuant to ORS 192.660 (2) (e) for the purpose of discussing real property negotiations. No decisions were made.

Adjourn

There being no further items for discussion, Mayor Benetti adjourned the work session. The next regular Council meeting was scheduled for September 5, 2017 in the Council Chambers at City Hall.

Attest: 

Susanne Baker, City Recorder



Joe Benetti, Mayor