

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

September 19, 2017

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held at 7:00 pm in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Jennifer Groth, Stephanie Kilmer, and Phil Marler. Councilor Stephanie Kramer was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Deputy Finance Director Amy Kinnaman, Library Director Sami Pierson, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

Flag Salute

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

Public Comments

Rob Taylor. Bandon: stated he was opposed to Urban Renewal Agencies (URA); noted the North Bay URA plan was set to sunset but Coos County Commissioners were working to delete the sunset date to allow the plan to continue in perpetuity. Mr. Taylor stated he believed people did not pay property tax to fund facade loans or grants for private businesses; stated he would file a referendum if the County did not put the URA sunset date out for voter approval; suggested if the City of Coos Bay dissolved their URA's it would retain \$650,000 in discretionary funding it could put towards public safety. Cricket Soules. Coos Bay: stated the first annual statewide historic cemeteries cleanup effort "Work 'N' Progress" sponsored by SOLVE was scheduled to take place at the Marshfield Pioneer Cemetery from 1:30 - 6:00 p.m. on Friday, September 22, 2017. Scott Frasier. Coos Bay: stated he wanted to talk about citizen volunteerism; noted pedestrians had to walk on the street due to overgrown brush on the west side of 6th Avenue between D and E Streets; rather than calling the City, he took it upon himself to cut the overgrown brush. Mr. Frasier requested the city pickup brush he cleared; stated he was not speaking down about the City or Public Works; stated he took pride in the City of Coos Bay and expressed the importance of maintaining the beauty of the corridors going through the City.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Acceptance of the August Check Registers

3b: Approval of an Oregon Liquor Control Commission License for Change of Ownership for Restaurant "O" located at 260 South Broadway Street, Coos Bay, Oregon

Mayor Benetti requested agenda item 3b: approval of an Oregon Liquor Control Commission license for change of ownership be moved down to agenda as item 4a for further discussion.

Councilor Groth moved to approve the consent calendar as amended, approving the August check registers. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Marler. Absent: Kramer.

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

Public Works and Community Development Director Jim Hossley stated construction activity was typically performed Monday through Friday between the hours of 7 am and 6 pm. At the February 7, 2017 Council meeting, Council approved construction weekend work for the Plant 2 expansion and upgrade project in an effort to stay on schedule. The Council approved no more than ten weekends for the construction duration. To date, the project had expended eight of the ten weekends, and construction was 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. Public notice was provided regarding this item to encourage comments from residents most likely to be impacted by this activity.

Gail Small. Coos Bay: stated her brother was one of the union workers on the project; one of the things he mentioned was working evenings and weekends created an overtime situation which placed everyone in a higher tax bracket and they did not end up making much more money.

Councilor DiNovo moved to approve an additional ten weekends and ten nights of construction work for wastewater treatment plant #2 expansion and upgrade project. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Marler. Absent: Kramer.

Approval of an Oregon Liquor Control Commission License for Change of Ownership for Restaurant "O" located at 260 South Broadway Street Coos Bay-Oregon

Mayor Benetti recused himself from the discussion declaring a conflict of interest stating he was the previous restaurant owner and Oregon Liquor Control Commission (OLCC) license holder and the new operators of the proposed OLCC license change of ownership/full on-premises, commercial and catering liquor license were leasing his facility.

Councilor Groth moved to approve the change of ownership as well as the full on premise sales, commercial and catering liquor licenses for Restaurant "O" located at 260 South Broadway Street, Coos Bay, Oregon. Councilor Marler seconded the motion which earned. Ayes: DiNovo, Farmer, Groth, Kilmer, Marler. Abstain: Benetti. Absent: Kramer. Mayor Benetti having abstained from the vote was deemed pursuant to the provisions of 2.8.4 of the Rules of the City Council to have voted with the majority which approved the motion.

Forum on Homelessness and Transients

Mayor Benetti stated the Council had discussed the homelessness matter in depth over the past several months. City Manager Rodger Craddock shared a PowerPoint presentation on homelessness noting communities across the United States were experiencing increased homeless and transient populations. Many different reasons were cited for the reasons for homelessness. The National Alliance to End Homelessness estimated that on any given night in the United States more than half a million people experience homelessness. Based on a point in time count from January of this year, Oregon was home to just under 14,000. A point in time

count conducted in 2015 indicated there were 612 homeless individuals in Coos County, a 56% increase over the 2009 point in time count. City Manager Craddock stated homelessness was not new in our community, both empirical data along with biannual point in time counts show the local homeless community was growing in numbers and there appeared to be an increase in the number of transients passing through the community. The increased visibility of the homeless / transient community coincided with the ever-increasing opioid dependence. It was estimated that 2.1 million people in United States suffered from substance use disorders related to prescription opioid pain relievers, and an additional nearly half a million people were addicted to heroin.

City Manager Craddock noted while there was an increase in the homeless / transient populations and an increased number of Americans with substance abuse dependencies, actual crime and the fear of crime were increasing as well. Many in the community believed this was further compounded by the fact that the local jail was operating at far less than half capacity which resulted with many suspected criminals as well as some convicted criminals spending little or no time in jail. For some, increased crime was associated with the increased homeless / transient community which was more visible than citizens suffering from drug addictions. City Manager Craddock stated concerned citizens were speaking out and looking for solutions in hopes of reducing both the homeless / transient populations, and the crime they believe was associated with that segment of our society.

City Manager Craddock stated panhandling was determined by courts to be constitutionally protected free speech; city could not outlaw panhandling by the homeless and/or the transients but could regulate time, location, and place of such activity. Vagrancy was determined unconstitutional in Oregon and loitering laws were also not allowed. City was working with Oregon Coast Community Action (ORCCA) to help fund project "Homeward Bound" program; also working with community partners to undertake a housing study address specifics on the housing shortage and strategies to increase both workforce and affordable housing; Parks and Police Departments were working to address illegal camping.

Mary Brandon, Coos Bay: questioned what the City planned to do to ensure no more illegal camping would not take place at the end of Elrod Avenue and what was going to be done to ensure the safety of residents in the area; noted a 9-1-1 call was placed due to shots fired and alleged police did not respond to the call; questioned who was responsible for the illegal camp cleanup. Mayor Benetti stated it was incumbent upon the property owner to notify the city of illegal camping; property owner responsible for cleanup. City Manager Rodger Craddock stated the property owner was in the process of hiring someone to work on the illegal camp cleanup; police did respond to the alleged incident and no disturbance found; shots fired call was found to be fireworks; no reported loss of life in the area. Ms. Brandon suggested with all of the issues facing the city that urban renewal (UR) monies should go fund public safety, not beautification or building improvements. City Manager Rodger Craddock provided a brief summary on how UR functioned.

Tara Johnson, Coos Bay: stated she was the Director of the Nancy Devereux Center (NDC); suggested the Center was not part of the problem, rather part of the solution; shared various stories and statistics on local homeless citizens and explained the services provided by the NDC.

Gail Small, Coos Bay: stated she lived half a mile from the NDC and wanted to express her support for the center; understood her neighbors concerns that the NDC might be a factor in the higher crime rate in the area; NDC provided hand up and she was not prepared to punish

people in need because she did not like them in her backyard. In her experience, making a person desperate did not improve their behavior. Suggested every dollar spent at the NDC helped to save tax dollars, emergency room visits, police services, and welfare. Ms. Small stated she and her husband volunteered at the NDC and encouraged others to support the NDC.

Ron Stephens. Coos Bay: stated he lived approximately one mile from the NDC and also expressed his support of the center; noted he was an ordained minister. Mr. Stevens read various stories from Bible that he felt was relevant to the homeless and less fortunate.

Patty Sanden. Coos Bay: stated she was the Finance Director for Bay Area First Step (BAFS); noted BAFS was one of three sites in State of Oregon hired to promote peer delivery services especially in the realm of drug and alcohol recovery. BAFS had a recovery house in downtown North Bend and drug and alcohol free housing in Coos Bay and North Bend. Ms. Sanden reviewed the various services provided by BAFS and suggested people should have a legal place to camp, get clean water, and use a bathroom.

Tasha Stafford. North Bend: through the peer delivery service she had an opportunity to meet with the homeless at the THE House and NDC; remarked it was humbling experience; suggested the community could make a difference, everyone should feel loved and it did not hurt to be more compassionate and loving towards others.

Anna Marie Slate. Coos Bay: stated she was homeless; did not know what she would have done over the last couple of years without the help of the THE House and NDC; stated she was priced out of the home she was renting; suggested developing a tiny house village; noted she wanted to help be part of the solution and asked that everyone work together and for the Council to think about what could be done to help.

Sean Farrell. Coos Bay: stated he was from Stockton California where he was homeless for many years because he lost his career; stated becoming homeless was a shameful experience for him; stated he recently started a group called the "Hope Healers" and was on the front lines in Empire trying to help people; shaming was not a way to help, giving them a hand up was.

Chris Von Lobelan. Coos Bay: thanked City Manager for his PowerPoint presentation and noted the success of various community agencies (BAFS, THE House, NDC, etc.); suggested the social support systems through mental health and peer mentoring to upgrade behavior to help people get out of the situation was working; housing linked to those services needed to be expanded so they could directly address the problem.

Scott Cooper. Coos Bay: Executive Director of Alternative Youth Activities (AYA, a small alternative school in Coos Bay; stated Coos County had 622 homeless youth and noted 42% of AYA students were homeless.

Terri Garman. North Bend: stated she was a volunteer and client at the NDC for a year and a half; suggested the director of NDC did a wonderful job; expressed concern about the decline in donations to the NDC due to all of the hate; suggested the laws provided more protections for dogs and cats than human beings; stated she was mentally ill, had severe anxiety and post-traumatic stress disorder but she stepped up and volunteered; suggested the police needed to step it up; stated she heard comments about picking off and shooting homeless and noted negative online posts about the homeless; questioned why no one was looking for the people making these threats and why people were standing by and letting bad things happen.

Bittin Duggan. Coos Bay: stated the Human Rights Advocates of Coos County meeting was cancelled so they could attend the Council meeting; noted the Homeless Memorial event would be held December 21st to honor those who died while being homeless; event would be held at the Coos History Museum; noted she had volunteered at the NDC for the past six years; she was also involved with another group, Homeless Solutions Coos County which were working to advocate to bring tiny houses to Coos Bay; noted Eugene had a good model to follow; suggested the City needed a transitional living option; hoped the City would become more active to help provide solution; suggested developing a community camping area.

Rob Taylor. Bandon: stated he worked in Coos Bay and had experienced crimes associated with homeless; noted everyone had rights; understood the problem of homelessness and had compassion; suggested no one hated the homeless or less fortunate but property owners did have the right to have their property protected; suggested the Sheriff's Department should have its own taxing district to guarantee the jail had adequate funds to be fully operational; suggested urban renewal was also part of the problem because it drove up taxes which drove up housing costs; questioned why the officers in the Council Chambers were not out helping citizens; remarked charity started at home and in the heart, not at City Hall.

Nancy Grayson. Coos Bay: stated average rent when she was growing up was \$250 per month and there were ample jobs; suggested the problem was the high cost of housing and no available jobs with a living wage; suggested there was more enthusiasm to create a dog park over a homeless shelter.

Josiah Sorenson. Coos Bay: stated he lived next to the NDC; pointed to the map on the wall and questioned what the City planned to do with the multiple homeless camps in the area around his home; stated he could not take his daughter to the park because there were used needles, tents, and garbage all over; suggested something needed to change and believed the NDC enabled people to continue to live in the woods.

Mayor Benetti thanked everyone for their comments; recommended putting together a project team together to get people involved; Coos County and City of North Bend were on board to help; asked that anyone interested in helping to find a resolution to please put their contact information on the sign-up sheet in the back of the council chamber.

Council broke from meeting at 8:18 pm; meeting resumed at 8:26 pm.

City Attorney's Report

City Attorney Nate McClintock stated it had been two years since City Manager Rodger Craddock had a performance evaluation and even longer since he had a pay increase; noted he provided Council with the basic evaluation form that had been used in the past to evaluate the City Manager and questioned if the Council wanted to use the existing form or make changes. City Attorney McClintock provided a brief summary on the evaluation process and advised a performance evaluation was required to be completed on an annual basis under the City Manager's contract. Councilor DiNovo requested a copy of the City Manager's last performance review. Mayor Benetti requested the Council review the performance evaluation form and make recommendations for any changes to the form at the next work session scheduled for September 26, 2017.

City Manager's Report

City Manager Rodger Craddock stated the Oregon Police Canine Association (OPCA) fall conference was being held in Coos Bay/North Bend; noted there were 168 canine officers in town in connection with the conference. City Manager Craddock expressed his thanks to all the community partners, volunteers, and staff for their assistance in coordinating the Bay Area Fun Festival weekend.

Council Comments

Councilor Kilmer: commended city staff for all of their great work and efforts over the course of the Bay Area Fun Festival weekend. Councilor Marler: stated he was not checking his email or text messages on his phone during the homeless forum; noted he had a bible app on his phone and was following along with the citizen that was reading from the bible during comments portion of the forum; also acknowledged the comments made about housing being expensive; noted there was a rent control bill introduced in the legislature earlier in the year but it did not make it out of committee; housing costs were a statewide issue and not limited to Coos Bay. Councilor DiNovo: announced Janice Langlinais as hired as the Executive Director for the Coos Bay - North Bend Visitor Convention Bureau. Councilor Groth: stated she volunteered at the finish line during both the 10K and 5K Prefontaine races and expressed her thanks to the Coos Bay Police Officer that assisted the last runner during the 5K race. Councilor Farmer: suggested collaborating with New Community Coalition on homeless issue; questioned if there had been any progress on permitting churches to allow homeless to camp on their property and if they had been any movement on changing the codes to allow tiny homes. Mayor Benetti: estimated there were over a thousand people that had their pictures taken in front of new Prefontaine mural over the Bay Area Fun Festival weekend; also, commended staff for a job well done over the Fun Festival weekend.

Executive Session

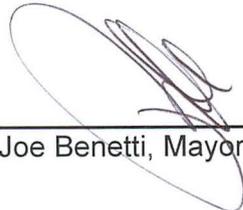
An executive session was held pursuant to Oregon Revised Statute (ORS) 192.660 (2) (h) for consultation with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. No decisions were made.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for October 3, 2017 in the Council Chambers at City Hall.

Attest:


Susanne Baker, City Recorder


Joe Benetti, Mayor