

# MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

December 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 Drew Farmer, Jennifer Groth, Stephanie Kilmer, Stephanie Kramer, and Phil Marler. Councilor Lucinda DiNovo was 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, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

## **5:50 p.m. - Council Interviews**

Those present for the Budget Committee and Planning Commission interviews in the conference room for the open positions were Mayor Joe Benetti and Councilors Drew Farmer, Jennifer Groth, Stephanie Kilmer, Stephanie Kramer, and Phil Marler. Councilor Lucinda DiNovo was absent. City staff present was City Manager Rodger Craddock.

## **7:00 p.m. - City Council Agenda**

### **Flag Salute**

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

### **Public Comments**

No comments were given.

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of the minutes of November 28, 2017
- 3b: Approval of the minutes of December 5, 2017
- 3c: Approval of the minutes of December 12, 2017
- 3d: Acceptance of a Hazardous Materials Emergency Preparedness (HMEP) Grant

3e: Acceptance of the November Check Registers

3f: Acceptance of the November Combined Cash Reports

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

### **Presentation of an Appreciation of Service Plaque for Ralph Mohr**

Ralph Mohr was not in attendance to receive a plaque of appreciation for his service on the Parks Commission from December 2014 through December 2017.

### **Report by Marshfield High School Key Club**

The Marshfield High School Key Club students were not available for a report.

### **A Public Hearing Would be Held to Consider Approval of the Street Trench Repair Policy - Approval Would Require Adoption of Resolution 17-25**

Public Works and Community Development Director Jim Hossley discussed the revised Trench Restoration Policy which included considering trench repairs under one of two categories rather than three categories and moratorium streets. Additionally, the City would assist financially the residential sewer lateral repairs to help with the asphalt repair. The final version of the policy was based on a substantial amount of feedback.

The policy provided substantial guidance to staff, utility owners, contractors, and residents on expectations of trench repairs and subsequent street conditions. The policy was rigorous but not uncommon as the policy was derived from other municipalities throughout the country. Implementation and adherence to the policy would improve the long term performance of trench repairs. Mayor Benetti opened the public hearing, no comments were received, and the public hearing was closed.

Councilor Groth moved to adopt Resolution 17-25, the Restoration Policy for Utility and Service Lateral Installation in the right-of-way. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Kramer, Marler. Absent: DiNovo.

### **Appointments to the Planning Commission and Budget Committee**

City Manager Rodger Craddock stated the City Council held interviews prior to the Council

meeting for two open positions on both the Budget Committee and Planning Commission for terms ending December 31, 2017. By ballot, the Council voted to approve Roy Metzger and Patrick Terry to the Budget Committee and Jim Berg and Jeff Marineau to the Planning Commission.

### **Approval of Additional Funding for the Mingus Pool Project**

Public Works and Community Development Director Jim Hossley stated the Mingus pool mechanical rehabilitation project was complete. The bid for the project originally came in well over the budget even considering the pending Oregon Energy credit and grant award. After considering alternatives to complete the project, staff would provide the labor for the project where possible and contracted with specialty contractors for the balance. The plumbing costs were estimated to be \$6,500; and after some design changes to the plumbing configuration and a misunderstanding by the contractor as to who would provide the materials, the actual plumbing costs were \$23,869.61. Staff requested the Council to increase the approved amount of the project to reconcile to the actual costs at a not to exceed figure of \$385,000.

Councilor Kramer moved to approve the new total project total to \$385,000. Councilor Groth seconded the motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Kramer, Marler. Absent: DiNovo.

### **Consideration of Approval of the Mobilitie Telecommunications Franchise Ordinance - Approval Will Require Enactment of the Proposed Ordinance**

Finance Director Susanne Baker stated the City of Coos Bay was approached by a privately-held wireless company to enter into a new franchise agreement to construct poles for wireless connectivity within the City's right-of-way. Enacting the telecommunications franchise ordinance would increase franchise revenue based upon the amount of gross revenue received by Mobilitie at a rate of 7%. The ordinance was drafted and reviewed by staff and the City Attorney based upon the model of the other City enacted telecommunication franchises. Mobilitie representative Colleen Deshazer provided a display of the technology to be used.

Councilor Farmer moved to enact the proposed ordinance approving the franchise with Mobilitie. Councilor Kilmer seconded the motion. Finance Director Susanne Baker read the ordinance by title only and Ordinance 493 was enacted by the following vote:

Aye: Benetti, Farmer, Groth, Kilmer, Kramer, Marler.

Nay: None.

Absent: DiNovo.

### **Approval of Modification of Construction Hours for the 6th Avenue Culvert Replacement Project**

Public Works and Community Development Director Jim Hossley stated the 6th Avenue culvert replacement project work schedule was significantly impacted due to high groundwater and tidal influence. Additionally, the regulatory requirements mandated the in-

water work be completed by February 15, 2018. To meet the deadline the contractor requested to extend the working hours outside of the approved 7:00 am to 6:00 pm time frame to the hours between 3:00 am and 10:00 pm on low tide event days. Mr. Hossley noted the road repairs would have to be funded from sources other than wastewater funds.

Councilor Kramer moved to approve the extension of hours of work between December 20, 2017 and January 31, 2018. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Kramer, Marler. Absent: DiNovo.

**Approval of the Front Street Action Plan - Approval Would Require Adoption of Resolution 17-24**

Planning Administrator Tom Dixon stated an action plan for the Front Street Master Plan would be presented for approval. The action plan was selected because it used an interactive approach with the area property owners to generate activity in the Front Street corridor. In essence, the proposed Front Street Action Plan (FSAP) was crafted as more of a strategic plan and guide to produce results in a more incremental yet sustained manner. Rather than waiting for one big impact project such as the Coos Historic Museum to help reshape and redefine the area, the FSAP emphasized a smaller scale yet persistent effort to achieve objectives and area-wide enhancements. The goal of the approach would support investment of both the public and private sectors to further successfully redevelop the Front Street corridor. Adoption of the plan would allow for the document to be used to seek grant funding.

Councilor Kilmer moved to adopted Resolution 17-24. Councilor Groth seconded the motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Kramer, Marler. Absent: DiNovo.

**Consideration of Award of Request for Qualifications (RFQ) for Final Design of Pump Station 17 and Force Main**

Wastewater Project Engineer Jennifer Wirsing stated the wastewater force main serving the Eastside area which was aligned under Isthmus Slough Bridge and to wastewater plant 1 through the downtown area would need replaced. The realignment of the line would place the force main north towards the Eastside boat ramp then west under the slough to the newly constructed Pump Station 1 at Birch and Front Street. In October a request for qualifications (RFQ) was solicited to perform a final design on this force main project along with a design for Pump Station 17's upgrade. Two proposals were received, Dyer Partnership and Civil West Engineering. Staff has reviewed both qualifications and Dyer presented a proposal evidencing they have specific experience in this type of project and presented a project approach specific to this work. Dyer also would use a subconsultant specializing in directional drilling which would be very beneficial.

Councilor Kramer moved to direct staff to begin contract negotiations and award the design and construction management to The Dyer Partnership. Councilor Marler seconded the

motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Kramer, Marler. Absent: DiNovo.

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

City Manager Rodger Craddock congratulated the Council on accomplishing two items on the Council's goals, the adoption of the Trench Restoration Policy and Front Street Master Plan. Provided an update on the progress of the Hwy 101 north and south gateway improvement project and the Golden Avenue street project. Mr. Craddock stated there has been a challenge from the City of North Bend Street Department for a Christmas Tree Lighting competition in 2018.

### **Council Comments**

Councilor Kramer: the Bus Jam distribution went very well and expressed her thanks to staff for their assistance. Councilor Kramer: expressed her delight in the new restaurant The Boat. Mayor Benetti: stated he was proud to work with the Council and staff and wished everyone Merry Christmas.

### **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

### **Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for January 2, 2018 in the Council Chambers at City Hall.



---

Joe Benetti, Mayor



Attest:

---

Susanne Baker, City Recorder