

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

February 20, 2018

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, Jennifer Groth, Stephanie Kilmer, and Phil Marler. Councilors Drew Farmer 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, 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

No public comments were given.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of the City Council minutes of February 6, 2018.
- 3b: Approval of the Joint City and URA minutes of February 13, 2018.
- 3c: Acceptance of the January Payroll and Accounts Payable check registers.
- 3d: Acceptance of the City January combined cash reports.
- 3e: Approval of a Coquille Tribal Community Fund grant
- 3f: Appointments to the Homeless Committee

Homeless Workgroup		
Name	Residence	Represents
Stephanie Kilmer	Coos Bay	City Council
Drew Farmer	Coos Bay	City Council

Kate Frame	County	School District 9
Katelyn Simons	Coos Bay	Empire
Leslie Terry	Coos Bay	Elrod
Mike Leman	Coos County	ORCCA
Trish Jordan	North Bend	Coos Health & Wellness
Sergio Gamino	North Bend	CCAT
Melissa Cribbins	Coos Bay	Coos County
Terence O'Conner	Coos Bay	North Bend
Caddy McKeown	Coos Bay	State
Kathy Ericksen	Coos Bay	Congressman Defazio
Chery Love	Coos Bay	Empire
Stacy Dewater	Eastside	Com. Coalition of Empire
Alison Cavarra	Elrod Area	BAH
Molly Ford	County	CB Business Owner
Todd Inman	Milner Crest	Neighborhood Watch
Nancy Grason	Coos Bay	Empire
TBA		Confederated Tribes
TBA		Coquille Tribes

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

Report by Marshfield High School Key Club

Marshfield High School Key Club representatives Sofi Baho-Munoz and Sarah Johnson summarized upcoming Key Club activities, shared various ongoing fundraising activities and achievements by various clubs and athletic teams.

Semi-Annual Visitor Information Center Report by Executive Director Timm Slater

Agenda item postponed until such time as the Bay Area Chamber of Commerce's Executive Director could attend.

Public Hearing to Consider Approval of an Ordinance for a Comprehensive Plan Amendment and Rezone for Artic Bros. - Approval Would Require Enactment of the Proposed Ordinance

Planning Administrator Tom Dixon stated the City received an application for a proposed change for a Comprehensive Plan Amendment (CPA) to change the designation of R-L (Residential Low) to C (Commercial) and a Rezone from the LDR-6 (Low Density Residential-6) district to the C (Commercial) district on the 6,000 square feet of property. The CPA and Rezone would allow commercial use (predominantly storage) for the Arctic Brothers truck a heavy equipment repair business located at the southwest corner of Southwest Boulevard and Oregon Avenue which abuted the subject property.

Mayor Benetti opened the public hearing. Ryan Wartman of Shoji Planning represented the applicant and noted the primary reason for the application was for safety to improve the maneuvering of the large commercial equipment onsite rather than utilizing the street and to allow for more equipment to be repaired. Mr. Wartman noted they held a community meeting regarding the proposed change in which they did not receive any negative comments. The applicant created a 10-foot slope between the two tax lots to allow a natural setback between the subject commercial property and existing residential home as a non-required buffer for future development. Brett Thomas, 1100 Tideview Terrace, stated his son worked for Arctic Brothers and the business provided better than living wages for community members and he did not see any negative impact resulting from the land use change. Tony Clausen, 1117 Washington Ave, stated the improvements to the lot were good and was happy to see the work being completed. There being no further comments, Mayor Benetti closed the public hearing.

Councilor Groth moved to enact the proposed ordinance to change the Comprehensive Plan Amendment (CPA) designation of R-L (Residential Low) to C (Commercial) and a Rezone from the LDR-6 (Low Density Residential-6) district to the C (Commercial) district.

Councilor Kilmer seconded the motion. Finance Director Susanne Baker read the ordinance by title only and Ordinance 494 was enacted by the following vote:

Aye: Benetti, DiNovo, Groth, Kilmer, Marler.

Nay: None.

Absent: Farmer and Kramer

Approval of the Coos Bay Police Officers Association 2019-2021 Collective Bargaining Agreement

City Manager Rodger Craddock stated the current Collective Bargaining Agreement (CBA) with the Coos Bay Police Officers Association (CBPOA) union would expire on June 30, 2017. Representatives from the City and CBPOA completed negotiations for a successor three-year agreement (FY 2019-2021) which included a number of tentatively agreed upon changes. The proposed successor agreement required ratification by both the City and CBPOA.

Councilor Groth moved to approve the negotiated Coos Bay Police Officer's Association

union contract changes and direct the City Manager to sign a new three year, FY 2019 – 2021. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Groth, Kilmer, Marler. Absent: Farmer, Kramer.

Adoption of Resolution 18-04 Would Require Approving a Supplemental Budget

Finance Director Susanne Baker stated it was anticipated during the fiscal year supplemental budgets would be brought to the Council for consideration to adjust the budget based upon operational needs. Reasons for a supplemental budget included appropriating grant funding not included in the budget, appropriating additional carryover balance from the prior fiscal year, reallocating funds within categories, and appropriating new funds. A supplemental budget was needed to transfer funds from the Major Capital to the Parks Improvement Fund for expenditures related to the Mingus Park Pool capital improvement project. A transfer appropriation was also needed from the General and Building Codes Funds to the Major Capital Fund for the purchase of a vehicle for the Police Department. The Building Codes Fund, by City Charter, must be self-supporting and spend its resources within its means. The Building Codes Fund did not have sufficient funds necessary for the purchase of a new vehicle for the new codes inspection staff but did have funding for a used, reliable vehicle. The existing 2008 Chevy Colorado Code Enforcement vehicle would suit the purposes of the Building Codes inspection staff and a larger vehicle would benefit the combined needs of Code Enforcement and Police Department who shared the current vehicle. Subsequently, the Building Codes division proposed to purchase the Code Enforcement vehicle by transferring funds towards the purchase of a new Code Enforcement and Police Department vehicle.

Councilor DiNovo moved to adopt Resolution 18-02 for a supplemental budget. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Groth, Kilmer, Marler. Absent: Farmer, Kramer.

Approval of an Intergovernmental Agreement for Management and Cleanup of the Englewood School Site

City Manager Rodger Craddock stated on December 30, 2014, the Coos Bay Fire Department responded to a structure fire at 1400 Pennsylvania Ave in the Englewood area. The structure suffered heavy fire, smoke, water, and heat damage and was posted "Dangerous" and "unsafe to Occupy". The owner was ordered and had failed to abate the dangerous conditions. Coos County (County) moved forward with a tax foreclosure on the property; and both the City and the County had mutual interest to abate the property. With completion of the foreclosure process and the property ownership being in public ownership, grant funds would likely be available for cleanup costs. Subsequently, an intergovernmental agreement (IGA) was drafted with the County to accelerate the foreclosure process if the City would agree to attempt to acquire grant funds and manage the cleanup activities. Once the conditions were abated, the County would publicly surplus the property for redevelopment.

Councilor Kilmer moved to authorize the City Manager to sign an IGA with Coos County for the management and cleanup of the old Englewood School site. Councilor Groth seconded the motion which carried. Ayes: Benetti, DiNovo, Groth, Kilmer, Marler. Absent: Farmer, Kramer.

Review of the Fee Resolution Revising and Clarifying Portions of the City's Fees

Public Works and Community Development Director Jim Hossley stated the City Building Codes division had an increased workload due to the improved economy. As of December 31, 2017 staff worked on 396 building code related permits with a forecast of 800 permits and over 2,000 inspections by fiscal year end. Additionally, three large projects were anticipated to begin (Fred Meyer renovation, SWOCC Health Science and Technology building, and the School District bond projects) which would add to the workload. To ensure timely review of building plans, permit issuance, and building inspections the City hired an additional full-time and part-time building codes inspector. The City Charter required the building codes program to be entirely self-supporting through permit fees. To ensure the building program would be able to be maintained, an improved level of service would require permit fees across the board to be increased 10%.

The fee resolution included an addition of a fee for Area Development Permit (ADP) Recreation Parks (R.V.'s) per Oregon Administrative Rules (OAR) 918-650-0030. The OAR had two tables from which the valuation and fees would be determined.

In addition, the resolution updated the annual moorage rate increase. The increase was 3%, based on the preceding December's Municipal Cost Index (MCI). Additionally, the 5% technology fee was been rolled into each of the fees within the fee resolution for ease of payment and administration (with the exception of building fees and planning fees for which the technology fee would be calculated separately). The technology fee had been a separate item on invoices which caused some confusion for customers. Rolling the technology fee into the fee would still allow for the dedicated funds to be transferred to the Technology Fund to provide a consistent source of funding to support the technology demands of the City and the citizenry. This would allow some of the timber sale revenue used for technology to be reallocated to capital needs such as buildings, police vehicles, etc.

With Council support, the 10% increase would be noticed to the public by the Oregon Building Codes Division to allow for their 45 day public review and comment period. Consensus of the Council was for staff to move forward with the proposed changes, notice the local building community, and return to Council on April 17, 2018 for adoption with an effective date of May 1, 2018.

Consideration of Award of Contract for On-Call As Needed Electrical Services

Public Works and Community Development Director Jim Hossley stated occasionally City owned facilities required the services of an electrician for maintenance and repair. To meet the need to respond quickly to emergencies and routine maintenance, staff solicited bids for electrical services and received a bid from Reese Electric and Kyle Electric. Reese Electric provided the more favorable bid. City Manager Rodger Craddock recommended the contract be awarded to both contractors if Kyle Electric would meet the price schedule as bid by Reese Electric. The on-call electrical services contract would be for a two-year period and met the City's public contracting rules. Any work task/project over \$75,000 would require Council approval prior to commencement of work.

Councilor DiNovo moved to award the on-call electrical services contract to Reese Electric;

and also award the second contractor, Kyle Electric if they meet the same price schedule as Reese Electric. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Groth, Kilmer, Marler. Absent: Farmer, Kramer.

Consideration of Award of Contract for On-Call As Needed Plumbing Services

Public Works and and Community Development Director Jim Hossley stated occasionally the various City owned facilities required the services of a plumber for maintenance and repair. To meet the need to respond quickly to emergencies and more routine maintenance, staff solicited bids for plumbing services and received one bid from All Coast Plumbing.

The on-call electrical services contract would be for a two-year period and would meet the City's public contracting rules with no work completed without a work order approved by appropriate City staff and individual maintenance or repair projects over \$75,000 would require City Council approval prior to commencement of work.

Councilor Groth moved to award the on-call plumbing services contract to All Coast Plumbing. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Groth, Kilmer, Marler. Absent: Farmer, Kramer.

Consideration of Approval of a Relay for Life of Coos County Special Event Permit Application

Public Works and Community Development Director Jim Hossley stated the American Cancer Society was sponsoring the Relay for Life of Coos County 2018 event on June 22 and 23, 2018 and proposed to hold the event on City properties. The event would include activities on Friday at 9 p.m. until 11 p.m. and on Saturday from 10 a.m. until 6 p.m. with the use of a sound system. Coos Bay Municipal Code 9.20.010 (11) stated devices designed for sound production or amplification were prohibited if it was loud enough to disturb persons within the vicinity. Upon Council approval, permits may be granted to responsible persons or organizations for the broadcast or amplification of programs of music, news, speeches, or general entertainment as part of national, state, City events, public festivals or outstanding events of a noncommercial nature when the broadcast or amplification would not be audible for a distance of more than 1,000 feet from the instrument, speaker, or amplifier.

Relay for Life representative Rachel Halpenny stated the use of the sound equipment would be used for the lumiere memorial which was a reflective and somber remembrance for those who have lost friends and family members to cancer. The event on Saturday near the Seven Devils brewery would be during the day and would be more of a celebration. Councilor Kilmer declared a potential conflict as her company was involved with the amplification.

City Manager Rodger Craddock stated an ordinance could be drafted to allow staff to approve these types of events and could also address costs to the city for assistance on these types of events.

Councilor DiNovo moved to approve the Relay for Life Special Event Permit as submitted. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Groth, Kilmer, Marler. Absent: Farmer, Kramer.

Consideration of Installing Security Gates at City Docks

Mayor Benetti introduced the agenda item and asked Bob Litton to make a presentation. Mr. Litton first thanked City staff for the repaired dock cleats and clearing dock from clutter. Mr. Litton stated it would be nice to have an automatic locking security gate to limit night time foot traffic on the dock but first thought the City should install large flood lights on the dock. Mr. Litton noticed with the large lights left on at night on the new fishing vessels, there had not been late night foot traffic.

Mayor Benetti suggested consideration of Mr. Litton's suggestion held merit wherein discussion of the Council concurred. Public Works and Community Development Director Jim Hossley stated he would work with staff and Mr. Litton on the type and location of such lights for the best results. City Manager Rodger Craddock noted there were less people camping in the more lit pavilion and supported the addition of lighting.

Consideration of Approval of a Proposed City Charter Amendment – Approval Would Require Adoption of Resolution 18-06 Calling a Measure Election to Submit to the Electors of the City

City Attorney Nate McClintock stated on February 18, 2017, the Council held a work session to discuss priorities for 2017-2019 and based on Council consensus priorities were categorized into five areas: (1) Wastewater; (2) Street Maintenance; (3) Library Facility; (4) Economic Development; and (5) City Charter. On April 4, 2017, the Council approved the goals which included possible amendments to the City Charter. The City Attorney reviewed the current City Charter language and suggested the Council consider additional amendments to remove language referencing consolidation, allow for Council meetings to be held on a business necessity rather than requiring two meetings per month, allow for the issuance of revenue bonds as a financing option, and remove the clause on mandatory minimum staffing for public safety personnel which was unconstitutional.

Mayor Benetti stated he would like see more of the hotel motel transient occupancy tax go to the Coos Bay North Bend Visitors Convention Bureau (VCB) and for the VCB to manage the Visitor Information Center rather than the Bay Area Chamber of Commerce. Mayor Benetti noted due to the time constraint at the meeting and pending deadline for filing the ballot measure, he proposed to hold a special meeting this week to allow for an expanded discussion. Consensus of the Council was to hold the meeting on Thursday, February 22nd at 3:00 p.m. at City Hall. Councilor Groth stated she did not believe the hotel/motel transient occupancy tax issue was a charter amendment item and wanted to maintain flexibility through the budget process. Councilor Kilmer stated that it would be important to maintain consistency in the Council meeting days and location for the public and transparency.

City Manager's Report

City Manager Rodger Craddock stated the Golden Avenue project was progressing and it would be complete by the end of March. The Market Avenue sidewalk project included a partnership with the building owner to dismantle the old coal shoots, the City's work on the sidewalk, and the driveway apron repair with the Morin's business. The Highway 101 beautification project would soon see sign installations with completion at the end of March.

The 6th Avenue project underwent an emergency road repair on 9th Avenue this last week. A public meeting seeking input would be held on February 26th between 6:00 and 7:00 p.m. at the Library regarding the upcoming South 4th Street repairs from Golden to Commercial.

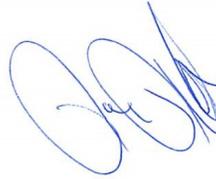
The Wednesday Business Connection lunch sponsored by the Bay Area Chamber of Commerce featured a series of presentations on governance by the cities of Coos Bay and North Bend. Mr. Craddock noted he would be out of town part of next week for an insurance and risk management conference in Salem.

Council Comments

Councilor DiNovo: looked forward to the hotel/motel tax discussion on Thursday and felt the economic tourism impact was not as well known and increasing the amount to the VCB would have a greater impact. Councilor Marler: stated the work to resolve the old zoning ordinances with the new land development ordinance would be ongoing and he would like to see a setback requirement when commercial property abuts residential property. Councilor Kilmer: stated she attended the February 15th Empire Coalition meeting where they expressed an interest in a community garden, would request garbage cans be placed along South Empire Blvd, speed issues be addressed, and they anticipated a larger Clamboree event this year.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for March 6, 2018 in the Council Chambers at City Hall.



Joe Benetti, Mayor



Attest:

Susanne Baker, City Recorder