

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 6, 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, Drew Farmer, Jennifer Groth, Stephanie Kilmer, Stephanie Kramer, and Phil Marler. 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 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 20, 2018.
- 3b: Approval of the City Council minutes of February 22, 2018.
- 3c: Ratification and appointment to the Tree Board: On February 6, 2018, Blair Holman and Catherine Walworth were interviewed by the City Council for consideration of appointment to the Tree Board to fulfill a vacancy created by Skip Shipman's resignation. The Council decided to postpone the appointment to a later date after learning there was also an additional vacancy, of a representative from the Downtown Association, which needed to be filled.
- 3d: Acceptance of funds for Pedestrian Safety Mini-Grant. Annually, the Coos Bay Police Department applied for the Oregon Impact Pedestrian Safety Mini-Grant to allow for additional officers on overtime to conduct several Safety Crosswalk Operations. These operations provided an opportunity for officers to enforce crosswalk safety regulations as well as provide educational opportunities to both pedestrians and drivers.

- 3e: Approval of a supplemental budget to appropriate and reallocate funds in the County-wide CAD and General Funds - Approval would require adoption of Resolution 18-05.

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

Report by Marshfield High School Key Club Members Sofi Baho-Munoz & Sarah Johnson

Marshfield High School (MHS) Key Club representative Sofi Baho-Munoz summarized upcoming Key Club activities, shared various ongoing fundraising activities and achievements by various MHS clubs and athletic teams; noted Coquille Tribe awarded the MSH Key Club a community grant for the S. 10th Street park improvements.

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

Timm Slater, Executive Director of the Bay Area Chamber of Commerce (BACC), provided information on activities of interest at the Visitor Information Center (VIC) for the period of July - December 2017 such as tourist inquiries, monthly events, reader board activity, and visitor counts. Volunteer support staff training and keeping the VIC Facebook page updated continued to be a focus and priority of the VIC and the BACC. Mr. Slater noted the BACC was also working to coordinate visitor and tourism efforts with the North Bend and Charleston visitor information centers.

A Public Hearing on a Proposed Ordinance to Consider a Vacation of 15th Court - Approval Would Require Enactment of the Draft Ordinance

Planning Administrator Tom Dixon stated the applicants, Mr. and Mrs. Cooley, requested to vacate an unimproved portion of 15th Court between "F" Street and "G" Street, found in Section 36AD, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon. The Planning Commission recommended approval of the application based upon the presented Statement of Facts, Findings and Conclusions for land use application 187-ZON17-094. Mr. Dixon reviewed the required decision criterion and required actions to support the requested change and noted no adverse impacts.

Mayor Benetti opened the public hearing. No comments were given and the hearing was closed.

Councilor DiNovo moved to enact the proposed ordinance providing for the vacation of 15th Court, between "F" Street and "G" Street in the plat of Eastside, Found in Section 36AD, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon. Councilor Kilmer seconded the motion. Deputy Finance Director Amy Kinnaman read the ordinance by title only and Ordinance 495 was enacted by the following vote:

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

Nay: None.

Absent: None.

A Public Hearing on a Proposed Ordinance to Consider Amendment to the Comprehensive Plan and Zone Designation Maps - Approval Would Require Enactment of the Draft 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 the property at 641 and 669 6th Avenue (25-13-36BD – Tax Lot 700) from Residential (R-L) and (R-H) to industrial (I) and Industrial-Commercial (I-C). In 2010, 1.28 acres of the 2.59 acre parcel was rezoned to allow for residential development. The attempt to market the property with the new zoning was not successful likely due to the surrounding industrial uses. The CPA and rezone would allow the established industrial use to expand. On February 13, 2018 the Planning Commission held the initial public hearing regarding an applicant's request to change the CPA and Land Use Zoning Map designations of the property. Mr. Dixon reviewed the required decision criterion and required actions to support the requested change and noted no adverse impacts and read a letter received from adjacent property owner, Peter Billeter of Billeter Marine which expressed support in favor of the requested change.

Mayor Benetti opened the public hearing. Ryan Wortman with Shoji Planning spoke on behalf of the applicant; noted property owner was Gary Angell; proposed re-zone was consistent with the historical use of the property. Mr. Wortman provided a PowerPoint presentation which detailed directional pictures of the subject property along with zoning and comprehensive mapping. Mr. Wortman stated the property owner was currently in contract to sell the property to Shane and Candace McGowne who owned McGowne Iron Works and noted the applicant was working with staff to secure the easement recommended by the Planning Commission for Pump Station 17. No further comments were given and the hearing was closed.

Councilor Farmer moved to enact the proposed ordinance amending the comprehensive plan map designation for certain real property from “residential high-density” and “residential low-density” to “industrial” and amending the land use zone map designation from “medium-density residential (MDR-16)” and “low-density residential (LDR-6)” to “industrial-commercial (I-C)”. Councilor Kilmer seconded the motion. Deputy Finance Director Amy Kinnaman read the ordinance by title only and Ordinance 496 was enacted by the following vote:

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

Nay: None.

Absent: None.

Acceptance of the Urban Renewal Agency Annual Financial Report for the Fiscal Year Ending 2017

City Manager Rodger Craddock stated Oregon Revised Statute (ORS) 457.460 required a financial impact statement to be filed with the City Council each year. The Urban Renewal

Agency (URA) report presented was in addition to the URA budget and the URA audit. The financial report included information on the amount of funding received during the preceding fiscal year and the indebtedness incurred; the purposes and amount of funding received and expended during the previous fiscal year; an estimate of the funding to be received during the current fiscal year; and an analysis of impacts (forgone revenue) of carrying out the plan for all of the taxing authorities for the preceding year. Mr. Craddock noted the report highlighted the various facade project which helped to demonstrate how the URA money was used to leverage and increase property values.

City Attorney Nate McClintock stated several decades ago the Oregon legislature passed laws to allow cities to create urban renewal districts to cure blight. Coos Bay established the Downtown District in 1988 and the Empire District in 1995. Over the course of these years significant funds were used to approve the appearance of properties. Mr. McClintock provided the Council with a brief overview of the Facade Improvement Program. Four prime examples of the success of facade improvement grant program included the Dolphin Theater and Empire Mercantile buildings in the Empire District and the Worksource Coos and Northwest Fitness (formally the Fletcher building) buildings in the Downtown District. Mr. McClintock noted there had been some criticism of the facade improvement program. However, the URA as a whole and the facade program helped to cure blight and improved the physical appearance of the districts which in turn encouraged economic development and a significantly increased property values within the districts; which was the express purpose of urban renewal agencies and embodied in Oregon law.

Mr. McClintock stated in evaluating the merits of the facade improvement grant program, the Agency looked not to the person who owned the property, nor to the person requesting the grant. Rather, the Agency looked to the property itself to determine if the property was blighted and if the program could assist to remedy the blight. The focus was not on the person, but on the property as it should be, given the nature and purpose of urban renewal and the facade program. Mr. McClintock noted that making decisions on awarding grants based in part upon the applicant's background could create a liability exposure to the City. Councilor DiNovo inquired if Council could ask an applicant if they had been convicted of a crime. Mr. McClintock again reiterated such question or consideration thereof could create liability exposure for the City and would defeat the purpose of the program, which was to focus on the property and not the person.

Mayor Benetti stated looking at total foregone taxes, the City of Coos Bay was most impacted by the UR districts. The City of Coos Bay felt UR districts were beneficial. Coos Bay Schools were the next most impacted by UR, but reiterated the schools were backfilled by the State, Coos Bay schools were not losing any dollars because of UR.

Councilor Groth moved to accept the Urban Renewal Agency Annual Financial Report for fiscal year ending 2017. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Kramer, Marler.

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

Public Works and Community Development Director Jim Hossley stated the force main serving the Eastside area was currently aligned under Isthmus Slough Bridge and went

through the downtown area, would be realigned to go 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, the City advertised a request for qualifications (RFQ) to perform a final design on the force main project along with a design for Pump Station 17 upgrade. Two statements of qualifications (SOQs) were received, and both firms were local: The Dyer Partnership and Civil West. Based on the SOQ, it appeared Dyer presented an SOQ that showed they had specific experience in these types of projects, and they presented a project approach that was specific to this work. Dyer also proposed a sub consultant that specialized in directional drilling. As a result, on December 19, 2017 Council approved the award of the RFQ to The Dyer Partnership. Staff negotiated a pre-design contract with Dyer for an amount of \$147,600 and recommended a 15% contingency be included for a total contract amount of \$169,740.

Councilor Marler moved to award the contract to the Dyer Partnership for pre-design of Pump Station 17 and the Eastside force main for an amount not to exceed \$169,740. Councilor Groth seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Kramer, Marler.

Approval of an Eagle Scout Service Project at Mingus Park

Public Works and Community Development Director Jim Hossley stated Dilyn Baumgardner proposed to the Parks Commission an Eagle Scout Service project for Mingus Park. Mr. Baumgardner stated he would install infrastructure and utilities for a flag pole at the entrance to Mingus Park. The project was forwarded to the Council with a recommendation to accept the project which would be funded by the Eagle Scout. All cost associated with the install of the flag pole would be borne by the Scouts. Annual maintenance was estimated to be \$75 to care for the flag pole.

Councilor Marler moved to accept the Eagle Scout service project for Mingus Park. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Kramer, Marler.

City Manager's Report

City Manager Rodger Craddock asked Public Works and Community Development Director Jim Hossley to provide a PowerPoint presentation highlighting various community projects which included the newly refurbished welcome signs to be placed at the North and South entrances to the City and improvements to the berm along the Coos Bay Boardwalk. Mr. Craddock noted concerns for a potential breach of the dike. Councilor DiNovo questioned if the City was fully funding the repair whereby Mr. Craddock stated the Port of Coos Bay initially stated they did not have resources to fund repair and tonight was the first he had heard that the Port was no longer claiming ownership of the berm. Mr. Craddock announced Finance Director Susanne Baker would be retiring after 31 years of service to the City; noted Deputy Finance Director Amy Kinnaman's husband was retiring from the United States Coast Guard after more than 24 years of service, Ms. Kinnaman would also be vacating her position. Mr. Craddock stated in light of the news, Finance employee Nicki Rutherford was appointed to Interim Deputy Finance Director and noted the City was fortunate to have qualified staff to step up during this period of transition.

Council Comments

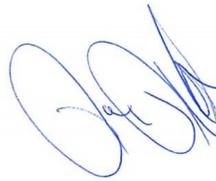
Councilor Kilmer: announced the South Coast Clambake Music Festival was scheduled to take place at Mill Casino March 9-11 and encouraged everyone to attend. Councilor Kramer: noted she recently traveled to Florida and highlighted successful non-government related efforts to help local homeless in the community. Mayor Benetti: expressed his condolences to the family of former City of Coos Bay Marina Host Dan McCutcheon for his recent passing. Mayor Benetti thanked Councilor Kilmer for filling in and taking his place at the South Coast Clambake Music Festival.

Executive Session

An executive session was held pursuant to Oregon Revised Statute (ORS) 192.660 (2) (e) for the purpose of discussing real property negotiations. 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 March 20, 2018 in the Council Chambers at City Hall.



Joe Benetti, Mayor

Attest: 

Susanne Baker, City Recorder