

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**April 17, 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 Drew Farmer, Jennifer Groth, Stephanie Kilmer, and Phil Marler. Councilors Lucinda DiNovo and Stephanie Kramer were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, 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**

Terry Munoz, Coos Bay: expressed her thanks to everyone for allowing the MHS Key Club the opportunity to participate in the City Council meetings.

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of the Council and Agency work session minutes of March 27, 2018.
- 3b: Approval of the City Council minutes of April 3, 2018.
- 3c: Acceptance of the March Payroll and Accounts Payable check registers.
- 3d: Acceptance of the City March combined cash reports.

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

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

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

**Public Hearing to Consider Approval of Designating Oregon Liquor License Application Review Guidelines and Fees – Approval Would Require Adoption of Resolution 18-08**

Finance Director Susanne Baker stated on June 6, 2017 through City Resolution 17-08, the Council approved increasing Oregon Liquor Control Commission (OLCC) fees for initial application, special, and annual renewal licenses from \$25 to \$50 to more accurately reflect the City's cost to process the licenses. In preparation for the upcoming 2018 annual OLCC license renewals, staff informed OLCC of the fee change. Upon receipt of our notice, OLCC informed staff the fee change required OLCC approval, and it was not in compliance with ORS 471.164 and 471.166 which stated that if the OLCC fee exceeds \$25, the local government must provide public notice and allow for public input. As part of the approval process/requirement, the proposed resolution and fees were forwarded to OLCC on March 30, 2018. Pursuant to ORS 471.66 (8), staff received notice from OLCC on April 4, 2018 that the OLCC had reviewed and approved the City's proposed changes. Approval of the proposed resolution would establish and designate OLCC application review guidelines and fees, and it would provide an expedited and more business friendly approval process for applicants. Current proposed fees as approved by OLCC were: \$100 for original/initial application, \$75 for change in ownership, location, or privilege, and \$35 for renewal and temporary.

Mayor Benetti questioned if staff would advise Council of any new applications. City Manager Rodger Craddock stated the proposed guidelines allowed for an appeal process to Council should staff not find in favor of an applicant. Councilor Marler questioned if there was a process to allow for public comments for new applications. Mayor Benetti stated OLCC required new applicants to post notice of their intent to sell alcohol; the notice directed anyone with concerns to contact OLCC. Police Chief Gary McCullough confirmed that was current practice and that OLCC worked with the Coos Bay Police Department to help address those concerns.

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

Councilor Groth moved to adopt Resolution 18-08 designating OLCC application review guidelines and fees. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Marler. Absent: DiNovo, Kramer.

**Approval of a Supplemental Budget for the General and Library Funds – Approval Would Require Adoption of Resolution 18-07**

Finance Director Susanne Baker stated a supplemental budget was needed to transfer and increase appropriation levels to allow for the transfer of resources to the Major Capital Fund to allow for the purchase of a police vehicle for Public Safety. The Library Fund also required a transfer in appropriation authority from the Capital Outlay to the Material & Services category to allow for the purchase of computers which were not of an amount equal for the capital outlay threshold. A text clarification was also necessary to correct the totals on Resolution 18-04 Major Capital Fund supplemental budget in which the titles were transposed and are new total transfers of \$200,000 and new contingency of \$406,046.

Councilor Kilmer moved to adopt Resolution 18-07 approving a supplemental budget for the General and Library Funds. Councilor Farmer seconded the motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Marler. Absent: DiNovo, Kramer.

### **Consideration of Adoption of the Fee Resolution Revising and Clarifying Portions of the City's Fees**

Councilor Farmer exited the meeting at 7:18 p.m. and returned at 7:20 p.m.

Public Works and Community Development Director Jim Hossley noted the community was enjoying increased building related activity which resulted in an increased workload for the City Building Codes Division. To ensure timely review of building plans and permit issuance along with timely building inspections, the City hired an additional full-time and a part-time building codes inspector. Per the City Charter, the City's building codes program must be self-supporting through building permit fees. To ensure the building program could maintain and improve its level of service to its customers, staff recommended a 10% increase in building fees across the board.

The proposed revised fee resolution included a 10% increase to building code related permits, adding the Area Development permit and fee, adding a reinstatement fee policy for expired permits, and some revisions to improve the layout of the resolution document. In addition, the annual rate increase as allowed by resolution for moorage was updated. The increase was 3%, based on the preceding December's Municipal Cost Index (MCI). Additionally, the 5% technology fee was 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 will be calculated separately). In addition to the fee increases, administrative revisions were made for consistency with state law as well as for improving ease of reading.

Mr. Hossley stated the State Building Codes Division advertised the proposed fee increases for a 45 day public comment and review period. Staff also emailed local contractors notification and a link to the State's web page. Staff received three comments from local contractors, one in favor and two opposed. The proposed effective date for the new resolution would be May 1, 2018. Mayor Benetti opened the discussion for public comment. No public comments were made.

Councilor Marler moved to adopt Resolution 18-09 amending fees for general government operations. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Groth, Kilmer, Marler. Absent: DiNovo, Kramer.

### **Appointment to the Coos Bay/North Bend Water Board Budget Committee**

City Manager Rodger Craddock stated each year the Coos Bay/North Bend Water Board (Water Board) sent a letter extending an invitation for either the Mayor or a Council member to participate in the Water Board's Budget Committee meetings. The meeting dates were June 7 and June 14, 2018 from 12 - 1:30 p.m. with lunch provided. Council consensus was to appoint to Councilor DiNovo to serve as the City's representative on the Water Board budget committee.

## **Approval of Amending the Municipal Code Regulating Nuisance Fences - Approval Would Require Enactment of the Proposed Ordinance**

City Manager Rodger Craddock stated embedded in the Coos Bay Municipal Code, under the Nuisance chapter was a subsection regulating fences. In part, the code limited fences in sections of the City near the bay. Specifically, it stated "Fences exceeding four feet in height shall be prohibited on the bay side of Bayshore Drive north of Elrod Avenue, excepting that portion between Highland Avenue and Fir Avenue, on the bay side of South Empire Boulevard south of Newmark, and on the bay side of 6th Avenue south of "F" Street. (CBMC 8.10.070§3).

The City received a request to amend the ordinance from the owner of the property located at 641 & 669 6th Avenue, Coos Bay who wanted to build a fence for the purposes of preventing ongoing property thefts and limiting trespassing on the property. Mr. Craddock stated he believed the intention of the code was to preserve the view of the bay by limiting fences that could obstruct that view; noted the code only applied to fences and not buildings or other things that could obstruct the view of the bay. Mr. Craddock recommended amending the ordinance to allow the property owner to construct a fence since there was already two buildings and plans to build a third on the property along with storage of numerous vehicles that already limited the view of the bay. City Manager Rodger Craddock read the proposed ordinance out loud in its entirety because the ordinance was not provided and made available to the public for a period of ten days prior to consideration of the ordinance.

Councilor Farmer moved to enact the proposed ordinance amending Ordinance 409. Councilor Kilmer seconded the motion. Deputy Finance Director Amy Kinnaman read the ordinance by title only and Ordinance 498 was enacted by the following vote:

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

Nay: None.

Absent: DiNovo, Kramer.

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

City Manager Rodger Craddock announced the upcoming annual brush cleanup was scheduled to begin May 1, 2018; Les' and Coos Bay Sanitary would collect up to five cubic yards of brush per address; the Bay Area Brigade Highway 101 cleanup event was scheduled for May 5, 2018; noted the downtown sidewalk improvement projects was in progress, and; the old McAuley Hospital demolition was underway.

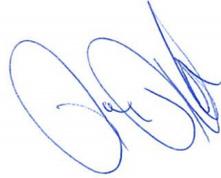
### **Council Comments**

Councilor Marler: announced the farewell tour of Eastside school was scheduled for May 15, 2018; the 55th annual TV auction event of the Coos Bay Lions Club was scheduled for April 22, 2018. Councilor Killmer: stated the Homeless Committee met for the first time last week; approximately 55% of the Committee was in attendance; next meeting was scheduled for May 3, 2018. Mayor Benetti stated he spoke at Lions Club meeting about the upcoming City Charter update; questioned status on lighting upgrade project at City docks whereby Public Works and Community Development Director Jim Hossley advised the project was in

progress. City Manager Rodger Craddock stated he received word that the Bay Area Chamber of Commerce membership was in support of Coos Bay Charter amendment.

**Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for May 1, 2018 in the Council Chambers at City Hall.



---

Joe Benetti, Mayor



Attest:

---

Susanne Baker, City Recorder