

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 19, 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, and Phil Marler. Councilor Stephanie Kramer was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

### **6:10 p.m. - Council Interviews**

At 6:10 pm prior to the start of the regularly scheduled Council meeting, the Council interviewed applicants Alissa Pruess, Curt Benward, Teri Jones, and Jay Flaxman for two committee member openings on the Library Board. No decisions were made.

### **Flag Salute**

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

### **Public Comments**

Michael Yost, Coos Bay: stated he received a letter from the City of Coos Bay stating he was responsible for replacing his private sewer lateral and was looking for a way to get that changed; suggested it was unrealistic for a homeowner to be sent a letter and be required within 90-days to come up with \$7,000 to \$9,000 dollars; asked for an extension, financial assistance, or subsidy. Mr. Yost stated he was advised by public works staff that replacement was required by municipal code and that could not be changed; noted there had not been sewer or water to the property in 3+ years; he was advised a City dye test indicated his property was causing a sinkhole in the road. Mr. Yost suggested the cause of the sinkhole was due to water runoff adjacent to his property; stated he did not know what to do, he was willing to do the work but no one was willing to help; asked if he could borrow streets signs but request was denied due to liability issues; stated Randy did help him with a traffic control plan but engineering staff were unwilling to help him. Mr. Yost stated he did not have the financial means to hire someone to do the work. City Manager Craddock stated city did not assist in the completion of plans due to complaints from professional community that completed that type of work; noted several years ago the City did look into undertaking the responsibility of repairing private sewer laterals but realized it would require a significant increase in sewer fees; many other cities had same or similar repair requirements; 90-days was the general timeline for requiring repairs in effort to mitigate additional damage to public property. City Manager Craddock noted the Council passed an ordinance that would take effect September 2018 that would cover City repairing roadway; private property owner or

their contractor would still be required to repair the line and replace the fill material per specifications and City would hire someone to do the paving. Finance Director Susanne Baker stated in the past the City had tried to connect homeowners with Umpqua Bank (City's bank) to see if they could assist the homeowners with financing; stated she was unaware if that had occurred in this particular case. Mayor Benetti stated he would not be opposed to enacting the ordinance before November and asked staff to investigate further on the matter.

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of the City Council minutes of June 5, 2018.
- 3b: Approval of the Council and Urban Renewal Agency Work Session minutes of June 12, 2018.
- 3c: Acceptance of the May payroll and accounts payable check registers.
- 3d: Adoption of Resolution 18-19 correcting Resolution 18-16 adjusting sewer user fees.

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

### **Approval of Appointments to the Library Board**

By action of Council ballot, the Council re-appointed Curt Benwood and appointed Alissa Pruess to the Library Board to fill the two open four-year terms ending June 30, 2022.

### **Consideration of 4th Street Road Safety Improvement Options**

Eric Farmsworth of Civil West Engineering stated at the June 12, 2018 joint City Council and Urban Renewal Agency work session, the City Council considered three options for traffic safety improvements related to the 4th Street corridor. The options included parallel parking only, pedestrian safety improvements, and three different lane configurations. Civil West provided 3-D models of the 4th Street corridor for each lane configuration. Council directed the consultant and staff to bring back two of the alternatives, A and C, for further consideration by the Council at the June 19th meeting. Mr. Farmsworth presented a 3-D model and summarized the two remaining alternatives highlighting the differences of each option based upon the criteria set by the Council; noted the purpose of the proposed changes was to increase safety. Public comments received called for ease of access or dedicated travel lanes for public safety vehicles. Mr. Farmsworth confirmed the proposed design for alternative A at 4th and Anderson would allow for a proper turning radius for a large truck; truck would not have to use additional lane to make the turn. Alternative C would help to increase the flow of traffic; shared center lane would be eliminated; amount of bump out's were reduced in comparison to alternative A. Mr. Farmsworth stated Civil West recommended implementation of alternative A since it had greater impact on improved

safety. Police Chief Gary McCullough and Fire Chief Mark Anderson spoke in favor of alternative A due to the increased access for public safety vehicles in addition to the crosswalk improvements specifically at 4th and Bennett.

Public Works and Development Director Jim Hossley noted response to the 4th Street public survey favored option C. Joe Slack of HGE stated he liked the configuration of Anderson on alternative C; suggested it could be incorporated into alternative A, and suggested the bump out at northeast corner of Curtis was confusing. Council consensus was to postpone consideration for decision to allow time for more public comment; proposed date for final decision was the July 17, 2018 Council meeting.

### **Consideration of Accepting an Offer to Purchase City Owned Property Located on Southwest Boulevard**

Public Works and Community Development Director Jim Hossley stated the City Council authorized the City's Realtor of Record, Randy Hoffine of Pacific Properties to market a City owned property on Southwest Boulevard. The property was on the west side of the southerly most terminus of the 7<sup>th</sup> Street right-of-way, and was used by the Public Works Department for placement of demolished concrete debris, logs, and tree stumps. The City received an offer of \$100,000 for the purchase of the property which met the Council's minimum acceptable offer. Mr. Hossley noted City infrastructure would be protected through an easement. Councilor Marler suggested funds should be dedicated to the street fund. Councilor Groth recommended dedicating the funds to the major capital fund to purchase equipment.

Councilor Groth moved to accept the offer for the purchase of the City parcel of land fronting Southwest Boulevard and 7th Street identified as 25S13W34DD TL0380000 for \$100,000 and directed staff to dedicate the revenue to the street improvement fund. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Marler. Absent: Kramer.

### **Approval of Increasing Contingency Amount of Golden Avenue Construction Project**

Public Works and Community Development Director Jim Hossley stated City Council approved budget of \$841,348.75 plus 5% contingency or \$42,070 for a total not to exceed \$883,418.75 for Golden Avenue rehab project. Due to the unforeseen need to remove a concrete encasement around existing storm line and work related to a waterline replacement resulted in the exceeding the approved contingency. The actual cost for construction of the project was \$13,498.88 greater than the not to exceed amount approved by Council. Staff requested approval to increase the contingency by \$17,930 to a total of \$60,000 to cover the additional costs.

Councilor Marler moved to amend the Golden Avenue construction contract budget by increasing the contingency by \$17,930 to read as follows: Project budget: \$841,348.75, Contingency: \$60,000, for total not to exceed: \$901,348.75 (construction & contingency budget). Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Marler. Absent: Kramer.

### **Award of Contract for the South 10th Street Sewer Replacement Project**

Public Works and Community Development Director Jim Hossley stated the City received a citizen concern regarding a backup in their sewer lateral. The lateral was located along South 10<sup>th</sup> Street between Johnson and Ingersoll. Staff informed the citizen they might have to coordinate with a plumber; but staff also investigated the main line to ensure there was not a blockage. Upon investigation, it was determined the public line was significantly deteriorated. The pipe was so deteriorated the investigation could only go about 50 feet upstream or downstream of the 500-foot section of pipe. It was determined the project would need to be identified as an emergency. Due to the length of pipe, location of other utilities in proximity to the sewer main, and depth of pipe, it was determined that a detailed design would need to be developed. The City contracted with HGE and expedited the preparation of final design plans and specifications. The project was advertised on May 23, 2018, and bids were opened on June 13, 2018. Three bids were received and the responsible bidder was Benny Hempstead Excavating for an amount of \$152,020. Mr. Hossley noted the engineer's estimate for the project was \$153,745.

Councilor Farmer moved to award the contract to Benny Hempstead Excavating, Inc. for the South 10th Street emergency sewer repair project for an amount of \$174,823 which included 15% contingency, and approve the closure of South 10th Street from Johnson to Ingersoll Avenue during construction hours. Councilor Groth seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Marler. Absent: Kramer.

### **Award of Contract to Knife River Materials for the Birch and Front Storm Drain Replacement Project**

Public Works and Community Development Director Jim Hossley stated the City identified approximately 375 feet of storm sewer in need of replacement. The project was titled Birch and Front Storm Sewer Replacement, and it was located along Birch Street from Highway 101 northbound and continued easterly to the Bay. The Dyer Partnership performed the design, the project was advertised on May 9, 2018, and bids were opened on May 31, 2018. Two bids were received and the responsible bidder was Knife River Materials for an amount of \$531,325. Mr. Hossley noted the Engineers project estimate was \$306,400. Dyer investigated the difference between the bid and estimated cost and determined the reason the two numbers were different was due to the soil conditions and the assumed trench width. It should be noted that a geotechnical investigation was not performed and was not typical of a project such as this. However, both contractors felt the area would be subject to dredge spoils, and as such were concerned about trench failure. Trench failure could significantly reduce or slow down the amount of pipe that could be installed in a day, increased the backfill material, and increased the surface restoration. Other factors that impacted the contractor's bids was the portion of work proposed in the northbound Highway 101 and work that was proposed under the rail. The last factor that impacted the project was tidal influence. Both contractors expressed concern the tides could impact or limit the working hours in a given day. Mr. Hossley noted the project was funded by a loan from the Infrastructure Finance Authority (IFA). Because the project's bid was over the engineer's estimate, City staff discussed options with IFA. IFA agreed to increase the loan to cover the difference. IFA also honored the interest rate of the original loan (1.0%).

Councilor Groth moved to award the contract to Knife River Materials for the Birch and Front

Street storm sewer replacement project for an amount of \$611,024 which included a 15% contingency, approve the increase of IFA Loan 2 for no more than \$175,000 at annual 1.0% interest, and approve the closure of Birch Street from Highway 101 northbound to Front Street during normal working hours for the duration of the project. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Groth, Kilmer, Marler. Absent: Kramer.

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

City Manager Rodger Craddock shared pictures he took of other communities while on recent vacation to Alaska. The pictures showed how various communities incorporated historic pictures in their downtown areas to restore a sense of place and also masked other things that were less sightly. Noted one of the 2016 Council goals was to work on infrastructure; the partnership to repave Johnson Avenue was completed and coordination of a large number of pothole repairs would take place over the summer and throughout fall; and announced Sergeant Robert Lounsbury would be retiring after 35-years of service to the Coos Bay Police Department which included his time as a volunteer with the Explorer Program starting at age 14.

### **Council Comments**

Councilor Groth: inquired as to what happened to the sign that directed traffic to John Topits Park. Public Works and Community Development Director Jim Hossley stated he was not sure but would look into the matter.

### **Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next Council meeting was scheduled for June 26, 2018 in the Council Chambers at City Hall.



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Joe Benetti, Mayor

Attest:   
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Susanne Baker, City Recorder