

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

**November 27, 2018**

The minutes of the proceedings of a City Council and Urban Renewal work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 pm in Fire Station No. 1 Conference Room - 450 Elrod Avenue, Coos Bay, Oregon.

## **Those Attending**

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, Phil Marler, and Robert Miles. Councilor Carmen Matthews was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Interim Deputy Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Library Director Sami Pierson, Public Works and Community Development Director Jim Hossley, Planner Debbie Erler, and Police Chief Gary McCullough.

## **Review of the Following Council/URA Agenda for December 4, 2018**

### **Consideration to Dissolve Various Council Committees**

City Manager Rodger Craddock stated there were a number of committees that had served their purpose; per Council Rules all Council Committees created shall sunset at the end of their mission or shall be reviewed at the end of a period three years from the date of initial creation and shall either be reauthorized or dissolved. Committees considered to be dissolved were the Egyptian Theater Restoration Steering Committee, Economic Development Committee, Streets Task Force, Council Boardwalk Flag Committee, Public Improvement Project Committee, and Brownfields Action Committee. Council discussed and agreed to dissolve the committees.

### **Council Committee, Board, and Commission Appointments**

City Manager Rodger Craddock stated members of the City Council and/or appointed officials served as city representatives on various city and community boards and committees. Mr. Craddock and Councilor Marler noted Councilor Mathews expressed interest in appointment to the Parks Commission, Councilor DiNovo volunteered for the Community Coalition of Empire, Councilor Miles volunteered for the Library Facilities Steering Committee, and no formal assignment was made for the Oregon Coast Historical Railway Museum Board.

### **Consideration of Approval to Increase Lodging Tax**

Coos Bay-North Bend Tourism Convention Bureau (VCB) Executive Director Janice Langlinois requested consideration to increase the Lodging Tax from 7% to 9.5% and refer the measure to the ballot for voters. Ms. Langlinois stated the goal of the VCB to attract more tourism and increase visitor spending in the Coos Bay, North Bend, and Charleston areas required increased promotional activities. Ms. Langlinois anticipated an increase of 2.5% would generate an additional \$206,000 to support tourism. Council discussed the Lodging

Tax was only on guests for short-term lodging, not on residents for long-term housing.

### **Approval of Amending Ordinance Controlling Vehicular and Pedestrian Traffic - Approval Would Require Enactment of Proposed Ordinance Impounding Bicycles**

November 6, 2018, Council approved architecturally designed bicycle racks through the Coos Bay Downtown Association to be installed in Coos Bay. Council had noted concern the city did not have the ability to impound bicycles abandoned in the new bicycle racks. City Manager Rodger Craddock stated review of the Coos Bay Municipal Code (CBMC) revealed the City had an ordinance that allowed the Police Department to impound bicycles left on public property in excess of 24 hours. Staff proposed amending CBMC 10.20.030 to read "A bicycle, or part thereof, left on public property and not secured in a public bike rack for a period in excess of 24 hours will be considered abandoned and may be impounded by the Police Department. A bicycle, or part thereof, left in a public bike rack for a period of in excess of 72 hours will be considered abandoned and may be impounded by the Police Department."

### **Approval of Proposed Amendment to the Conditional Use Process of the Development Code Ordinance – Approval Would Require Enactment of Proposed Development Code Ordinance**

Public Works and Community Development Director Jim Hossley stated land use with more complexity and potential impact to surroundings was conditional use which required a conditional use permit from the Planning Commission. The City's conditional use standards required clarity and specificity to enable defensible Planning Commission conditional use permit authorization. Morgan CPS group, a Keizer, Oregon professional planning firm, was engaged to review the development code conditional use permit standards. The firm noted the amendments were intended to resolve any issues with the language of the Code relative to the State of Oregon requirement to have clear and objective standards and suggested amendments be designed to clarify and strengthen requirements and process. Proposed changes were an added purpose statement to guide the reasoning behind the conditional use standards, revised conditional use standards to provide clarity and eliminate ambiguity, language precision to tie potential conditional land use impacts to clear requirements to mitigate those impacts, and addition of specific condition language. Planner Debbie Eler stated staff reorganized and expanded the conditional land use regulations, and on October 9, 2018, the Planning Commission reviewed the amendments to Coos Bay Municipal Code (CBMC) 17.325 at public hearing. The Planning Commission approved and forwarded to Council for approval at the December 4, 2018 Council meeting.

### **Consideration of Approval of a National League of Cities Service Insurance Warranty Program**

City Manager Rodger Craddock stated homeowners are responsible to maintain their private water and sewer laterals which connect to public utilities. On October 9, 2018, Dennis Lyon made a presentation to the Council on the National League of Cities (NLC) Service Line Warranty Program. The National League of Cities and the League of Oregon Cities had endorsed Utility Service Partners, Private Label, Inc. which provided the NLC Service Line Warranty program. Mr. Craddock stated the warranty program was an insurance program which would cover unexpected and expensive utility line repair for a low monthly fee with no

deductibles or service fees. City Attorney Nate McClintock reviewed the draft agreement and negotiated small changes to the agreement. Council to authorize the City Manager to enter into a Marketing Agreement with Utility Service Partners Private Label, Inc. to provide the National League of Cities Service Line Warranty Program to residential property owners in the City.

### **Discussion of a Transportation User Fee**

Public Works and Community Development Director Jim Hossley stated the City Council was committed to improved street maintenance throughout the community. Traditional funding resources for city street maintenance, state gas tax, had not kept pace with the increase cost to perform maintenance. A transportation utility fee (TUF) was one possible source of new resource for street maintenance. On October 23, 2018, City Council requested staff to provide additional information on a various TUF amounts and the number of years it would take to fix roads based on TUF amounts for consideration. Mr. Hossley stated it would take 70 years to complete repairs to all City streets, 50 years with a five dollar TUF, and 35 years with a ten dollar TUF. The city could maintain and repair approximately 1.7 more miles of street over the next five years with a ten dollar TUF. Mayor Joe Benetti requested Council to defer any decision until the January 15, 2019 Council meeting to allow for additional discussion and public input.

### **Review of the Summer/Fall 2018 Construction Projects**

Public Works and Community Development Director Jim Hossley presented on the eleven projects completed in the summer/fall construction season: Mingus Park sewer replacement; 8th Terrace sewer replacement; N. Cammann Street sewer replacement; S. 10th Street sewer; Marple Street sewer; Waste Water Treatment Plant 2; Birch Avenue and Front Street storm drain replacement; Newmark Avenue storm drain realignment; Ocean Boulevard and Vine Avenue culvert replacement; H Street, F Street and 9th Avenue construction; and N. Cammann Street repair. Mr. Hossley stated the 9th Avenue and Eastside Lagoon Road repair project had been deferred to fiscal year ending 2020 due to lack of funding and the delay of 2018 timber sale which was awarded, but due to the fire season harvesting had been deferred to 2019.

### **Adjourn**

There being no further items for discussion, Mayor Benetti adjourned the work session. The next regular Council meeting was scheduled for December 4, 2018 in the Council Chambers at City Hall.



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Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder