

**MINUTES OF THE PROCEEDINGS OF THE  
CITY OF COOS BAY CITY COUNCIL**

**June 1, 2010**

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 p.m. in the Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

**Those Attending the City Council Meeting**

Those present were Mayor Jeff McKeown and Councilors Mark Daily, Jon Eck, Joanie Johnson, Stephanie Kramer, Gene Melton, and John Pundt. City staff present were City Manager Rodger Craddock, Deputy Finance Director Susanne Baker, Intermediate Accountant Amy Kinnaman, Library Director Carol Ventgen, Public Works and Development Director Jim Hossley, Fire Chief Stan Gibson, Library Director Carol Ventgen, and Acting Police Chief Gary McCullough. City Attorney Nate McClintock was absent.

**Flag Salute**

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

**Consent Calendar**

Mayor McKeown reviewed the consent calendar which consisted of 2a: approval of the minutes for the May 11, 2010 and May 18, 2010 Council Meetings; 2b: adoption of Resolution 10-08 extending workers' compensation coverage to City volunteers; 2c: approval of annual OLCC license renewals for Abby's Legendary Pizza, Fred Meyer, and Sumin's Restaurant; 2d: approval of an OLCC license application for Rodeo Steakhouse and Grill; and 2e: approval of Change Order #1 on furnishings package #1 for the new fire station. Councilor Kramer moved to approve the consent calendar approving the minutes for the May 11, 2010 and May 18, 2010 Council Meetings; adopting Resolution 10-08 extending workers' compensation coverage to City volunteers; approving annual OLCC license renewals for Abby's Legendary Pizza, Fred Meyer, and Sumin's Restaurant; approving an OLCC license application for Rodeo Steakhouse and Grill; and approving Change Order #1 for Express Blinds and Beyond, LLC for furnishings package #1 on the new fire station to reduce the total approved contract by \$1,721.00, changing the total new contract amount to \$11,709.00. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

**Public Hearing on the use of State Revenue Sharing  
Funds – Approval to Accept the Funds Would Require  
Adoption of Resolution 10-07**

City Manager Rodger Craddock stated State Revenue Sharing funds were received from the State of Oregon through the collection of various fees and taxes including 9-1-1, cigarette, liquor taxes. Eligibility requirements for State Revenue Sharing program required both the Budget Committee and City Council to hold public hearings. Mr. Craddock stated approximately 40 percent of the anticipated State Revenue Sharing funds were allocated to fund community grants. Mayor McKeown opened the public hearing. No public comments were given and the hearing was closed. Councilor Kramer moved to adopt Resolution 10-07 approving participation

in the State Revenue Sharing program. Councilor Eck seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

**Public Hearing on the Approved Budget for Fiscal Year  
2010/2011 – Adoption of Resolution 10-09 Would Adopt the  
Budget and Make Appropriations and Levy Ad Valorem Taxes**

City Manager Rodger Craddock stated the proposed budget for fiscal year 2010/2011 was reviewed by the Budget Committee, and was approved on April 29, 2010 to be forwarded to the City Council for adoption. Deputy Finance Director Susanne Baker stated the adopted budget was updated to reflect a change to the General Fund, Public Works Program to account for the \$900,000 (1/2 of the \$1.8 million water project capital expenditures estimated for FYE11) which the City of Coos Bay was required to record for their joint venture obligation with the City of North Bend to the Coos Bay North Bend Water Board (CBNBWB). ORS 294.435 allows the Council to increase the expenditures approved by the budget committee not more than 10%. The adopted budget was also updated to reflect a \$320 increase in the State Gas transfer to Bike and Pedestrian Fund line item offset by a \$320 decrease in Concrete, Asphalt and Gravel line item due to the budget committee's \$32,000 increase in the State Gas Tax. One percent of gas tax apportionment (1% of \$782,000 or \$7,820) is required by state law to be transferred to the Bike and Pedestrian Path Fund. Ms. Baker reported a publication error in the required LB1 and LB3 publications in The World newspaper and stated Oregon budget law required corrections to be read aloud during the public hearing process when the fiscal year end 2011 budget was appropriated. Ms. Baker noted the changes did not affect the total requirements or the bonded debt as approved by the budget Committee and read aloud the following corrections:

**LB1 – Financial Summary**

Line #4 Total Debt Service:

Adopted FYE10	\$2,256,956	Adopted FYE11	\$4,562,528
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Line #9 Total Requirements and Line #12 Total Resources

Adopted FYE10	\$51,915,574	Adopted FYE11	\$45,915,811
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Line #10 Total Resources Except Property Taxes

Adopted FYE10	\$47,368,635	Adopted FYE11	\$41,154,194
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**LB3 – Funds Requiring A Property Tax to Be Levied**

Line #11 and #13 Property Taxes Estimated to be Received

Adopted FYE11	\$488,600
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Line #12 Total Resources

Adopted FYE11	\$488,600
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Line #13B Uncollectible Amounts

Adopted FYE11	\$49,160
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Mayor McKeown opened the public hearing. No public comments were given and the hearing was closed. Councilor Eck moved to adopt Resolution 10-09 adopting the budget of the City of

Coos Bay for Fiscal Year 2010/2011. Councilor Kramer seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

**Public Hearing to Consider Regulating Smoking in Certain Areas in City Parks – Approval Would Require Enactment of Proposed Draft Ordinance**

Public Works and Development Director Jim Hossley stated the City Council previously considered a smoking ban for city parks at the January 19, April 6, and May 18, 2010 meetings. Based on public comments and discussion by the Council, staff drafted an ordinance eliminating smoking throughout Mingus Park which included the skateboard park, tennis courts, basketball court, Frisbee golf course, pool, play structures, gazebos, trail paths and ball field complex. Council also directed staff to include in the ordinance a smoking ban within 25 feet of designated play structures in all city parks. Mr. Hossley reported staff prepared two different ordinance documents for consideration. The difference between the two was one version added the smoking ban to include sidewalks on Commercial Avenue and North 8<sup>th</sup> Street which abut Mingus Park. City Parks affected by the proposed ordinance included: Mingus Park, John Topits Park, Ed Lund Park, Eastside Park, Taylor & Wasson Street Park, and Bay Area Optimists 10<sup>th</sup> Street Park. A violation could result in a fine not to exceed \$1,000 with the police officers allowed flexibility on handling violations.

Mayor McKeown opened the public hearing. Robert Cribbens: Encouraged the Council to reject the proposed smoking ban. Gino Landrum: Stated second hand smoke was not a proven science and suggested the proposed ban was a violation against personal freedoms. Steve Pickering: Asked the Council to reconsider the ban on smoking because smoking was not illegal.

Councilor Daily moved to enact the ordinance regulating smoking in designated areas in City parks to include sidewalks on Commercial Avenue and North 8<sup>th</sup> Street which abut Mingus Park; amending Ordinance No. 248, Regulating Activities and Uses Within the Coos Bay Park System, and Providing a Penalty Therefore, as amended by Ordinance No. 257 and Ordinance No. 296. Intermediate Accountant Amy Kinnaman read the ordinance by title only and Ordinance No. 428 was enacted by the following vote:

Aye:	Mayor McKeown and Councilors Daily, Johnson, and Kramer
Nay:	Councilors Eck, Melton and Pundt
Absent:	None

**Authorization of Emergency Contracting for Marshfield High School Sewer Project**

Public Works and Development Director Jim Hossley stated on May 14, 2010 Marshfield High School staff reported a sewer overflow in the vicinity of the athletic track at the school. OMI responded and immediately cleaned the area estimated at less than 200 gallons of sewage. The cause of the leak was investigated and it was determined that a concrete sewer line had collapsed above and adjacent to the steep hill slope above and to the west of the stadium visitor stands. Mr. Hossley stated it was imperative for the break to be repaired quickly to ensure the water leaking from the pipe would not create a slope failure. The collapsed pipe was estimated

to be as much as 40 feet below ground surface. Mr. Hossley stated the total cost of the repair were unknown and requested the Council consider approving repairs in accordance with the city's Emergency Contracting Rules; Section 11 of the City of Coos Bay Ordinance O-365. City Manager Rodger Craddock stated the City was in the process of reviewing ownership for the necessary repairs. Councilor Eck moved to authorize an emergency contract for the Marshfield High School Sewer Project. Councilor Pundt seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

### **Public Comments**

Steve Pickering, Coos Bay: Thanked the Council for taking the time to consider the smoking ban and questioned the process for a referendum. Robert Cribbens, Coos Bay: Suggested the Council made a bad decision by passing the smoking ban ordinance. Gino Landrum, Coos Bay: Suggested the Police Department should work on enforcing existing ordinances. Ken Willsey, North Bend: Expressed concern for the environment and the hazardous toxins that make their way into the local bay and Empire Lakes; Councilor Daily suggested Mr. Welsy contact City Manager Rodger Craddock to propose a future agenda item.

### **City Attorney's Report**

No report was given.

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

City Manager Rodger Craddock stated on June 19<sup>th</sup> the City of Coos Bay Public Library would be celebrating their 100<sup>th</sup> Anniversary; reported the Fire Station was expecting to receive a letter of substantial completion for the new fire station and would likely begin the moving process as early as the upcoming weekend; reported the dedication for the new fire station was scheduled for June 27<sup>th</sup> at 2:00 PM. Mr. Craddock invited Fire Chief Stan Gibson to report on the awards received at the Fire Fighters Award Banquet on May 22, 2010. Mr. Gibson reported Battalion Chiefs Howard Owens and Dean Martin, and Firefighter/Engineer Steve Takis received five year service awards; and Battalion Chief Mark Anderson and Volunteer Firefighter Tina Eck received 20 year service awards. Firefighter Dan Crutchfield received the Past President's Award for his service as President from 2007-2009; retirement awards were presented to Volunteer Lieutenant Brett Weildemiller for 15 years of service and Volunteer Firefighter Ed Johnson for 51 years of service. Lieutenant Doug Vetter and Volunteer Firefighter Luke Taylor received training awards, Firefighter Dan Crutchfield and Volunteer Firefighter Nate McCormick received General Alarm Response Awards, and Volunteer Firefighter Ben Rollicheck received the Firefighter of the Year Award. Chief Gibson reported the entire Department was also recognized by the Oregon Fire Chiefs Association with a Unit Citation Award for their commitment and dedicated effort to the community.

### **Council Comments**

Councilor Daily highlighted eight new businesses which opened during the first quarter of 2010: Bay Area Mailing Connections and More, Bellissima, Green Lightening Laundry Mat, Matrix USA Security, Old World Antiques, The Vault, Walker Pickers, and the Wellness Center; reported Island Sun, Mossy Rose and Leaf's Treehouse had recently changed locations;

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Congratulated 2010 North Bend High School graduate Tori Noggle for her many accomplishments. Councilor Johnson stated the May – June Exhibition at the Coos Art Museum was Expressions West, the paintings of Kevin Kadar, and Charles Tatum Retrospective; and encouraged support of local museums, and businesses. Councilor Melton stated he was recently re-elected to serve an additional two year term as the State Commander for AMVETS; thanked everyone who participated in the Memorial Day parade. Councilor Pundt reminded citizens of the upcoming Clamboree. Councilor Kramer thanked Fire Chief Stan Gibson and all the firefighters for hosting the Firefighter Awards Banquet; Councilor Eck reminded everyone about the Lions Club Pizza Day scheduled for Wednesday, June 2, 2010. Mayor McKeown reported earlier in the day he attended the swearing in ceremony for a new Coos Bay Police Officer, Ty Meier.

**Executive Session**

An executive session was held pursuant to ORS 192.660 (2) (e) for the Purpose of Discussing Real Property Transactions. The Council reconvened into regular session.

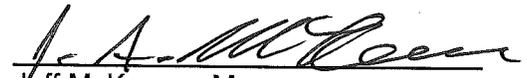
**Adjourn**

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting was scheduled for June 15, 2010 in the Council Chambers at City Hall.

Attest:



Rae Lea Cousens, City Recorder

  
Jeff McKeown, Mayor