

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

June 15, 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, and Gene Melton. Councilors Stephanie Kramer and John Pundt were absent. City staff present were City Attorney Nate McClintock, Finance Director Rae Lea Cousens, Deputy Finance Director Susanne Baker, Planning Administrator Laura Barron, Public Works and Development Director Jim Hossley, Battalion Chief Mark Anderson, Library Director Carol Ventgen, City Engineer Carl Nolte, Economic Revitalization Administrator Joyce Jansen, and Acting Police Chief Gary McCullough. City Manager Rodger Craddock 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 June 1, 2010 Council Meeting; 2b: acceptance of the May accounts payable and payroll check registers; 2c: acceptance of the May combined cash reports; 2d: approval of reappointment of Steve Metz and Larry Plews to the Coos Bay Public Library Board; 2e: approval of reappointment of Barbara Butler to the Coos Library Board; 2f: ratification of North Bend's appointment to the Coos Library Board; 2g: approval of the annual Library District contract renewal; 2h: approval of Change Order #14 (Team \$14,075) and Change Orders #1 and #2 (Business Interiors by Staples \$414 and \$623) for the furnishings package on the new fire station; 2i: adoption of Resolution 10-11 making appropriations and transferring \$15,500 of Building Codes Fund Contingency to Building Codes Fund Operations; 2j: acceptance the Intergovernmental Agency Agreement with ODOT for reimbursement of public personnel services during Isthmus Slough Bridge closure; 2k: approval of annual OLCC license renewals for Bassett Hyland Energy Co., Bayshore Chevron, Black Market Gourmet, Blue Heron Bistro, Blue Moon Restaurant & Lounge, Coach House Restaurant, Elks Lodge, Empire Café, Gooney's Sports Bar, Lighthouse Grocery & Deli, O'Bradi, Oregon Wine Cellars, Red Lion Inn, Safeway Store, Wal-Mart Super Center, and Wanda's.

Councilor Melton moved to approve the consent calendar approving the minutes of the June 1, 2010 Council Meeting; accept the May accounts payable and payroll check registers; accept the May combined cash reports; approving the reappointment of Steve Metz and Larry Plews to the Coos Bay Public Library Board; approving the reappointment of Barbara Butler to the Coos Library Board; ratifying North Bend's appointment to the Coos Library Board; approving the annual Library District contract renewal; approving Change Order #14 (Team \$14,075) and Change Orders #1 and #2 (Business Interiors by Staples \$414 and \$623) for the furnishings package for the new fire station; adopting Resolution 10-11 making appropriations and transferring \$15,500 of Building Codes Fund Contingency to the Building Codes Fund

Operations; accepting the Intergovernmental Agency Agreement with ODOT for reimbursement of public personnel services during Isthmus Slough Bridge closure; approving the annual OLCC license renewals for Bassett Hyland Energy Co., Bayshore Chevron, Black Market Gourmet, Blue Heron Bistro, Blue Moon Restaurant & Lounge, Coach House Restaurant, Elks Lodge, Empire Café, Gooney's Sports Bar, Lighthouse Grocery & Deli, O'Bradi, Oregon Wine Cellars, Red Lion Inn, Safeway Store, Wal-Mart Super Center, and Wanda's. Councilor Eck seconded the motion which passed with Mayor McKeown and Councilors Daily, Eck, Johnson, and Melton voting aye. Councilors Kramer and Pundt were absent.

**Presentation on the Coos County Local Food Guide
by Oregon Coast Community Action**

Ms. Michelle Brown stated Oregon Coast Community Action's (ORCCA) mission was to feed, house, warm, and educate families on the South Coast and to look for new ways to support the local economy. ORCCA developed a food guide to connect local residents with the local food system. ORCCA was seeking to develop a partnership with local municipalities in the production of the guide to provide a resource to assist residents in purchasing food items locally. City staff suggested the guide could be reproduced economically through the use of the City's copier (.06 per black and white copy and .19 per color copy versus .25 per black and white copy and .50 per color copy). It was the consensus of the Council to direct staff to proceed with the partnership.

**Presentation by the Coos County Weed
Advisory Board Members**

Ms. Amy Peters, representing the Coos County Weed Advisory Board, presented information on the importance of identifying noxious weeds in the County, including the threat posed, and the progress of the Coos County Weed Advisory Board in controlling noxious weeds. Ms. Peters asked the City Council for \$10,000 of "seed" money to support the hiring of a coordinator. Mayor McKeown suggested staff review the proposal and place the proposal on a future agenda. Mayor McKeown stated if funds were designated the funds would need to be expended within Coos Bay wherein Ms. Peters was agreeable.

**Public Hearing on a Supplemental Budget to Appropriate
\$100,000 of Reserve Funds for Future Expenditures
in Major Capital Reserve Fund for FYE10 – Approval
Would Require Adoption of Resolution 10-10**

Public Works and Development Director Jim Hossley stated the City of Coos Bay awarded a timber sale in FYE10 and the costs associated with administering the timber sale were greater than the appropriated budget of \$10,000. The supplemental budget would appropriate an additional \$100,000 to offset administration costs, plantation maintenance of the timber, and other timber related projects. Mayor McKeown opened the public hearing. No public comments were given and the hearing was closed. Councilor Eck moved to adopt Resolution 10-10. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, and Melton voting aye. Councilors Kramer and Pundt were absent.

Public Hearing on a Supplemental Budget Making Appropriations and Transferring \$55,000 of General Fund Contingency to General Government Operations for FYE10 – Approval Would Require Adoption of Resolution 10-12

Public Works and Development Director Jim Hossley stated Resolutions 09-27 and 10-03 were previously adopted to appropriate and transfer \$500,000 from General Fund Contingency to General Government for Debt Service (Du Jour Loan) for urban renewal agency financing. The proposed \$55,000 contingency transfer combined with the previous resolutions exceeded the 15% total allowed aggregate by Oregon budget law and therefore required a supplemental budget. In accordance with Oregon budget law a public hearing was required for the adoption of a supplemental budget resolution. Mayor McKeown opened the public hearing. No public comments were given and the hearing was closed. Councilor Johnson moved to adopt Resolution 10-12. Councilor Eck seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, and Melton voting aye. Councilors Kramer and Pundt were absent.

Public Hearing and Request for Continuance on Plan Amendments to The Comprehensive Plan and Zone Designation of Angell Asset Group

Planning Administrator Laura Barron read the public hearing disclosure and stated Mr. Gary Angell applied to change the plan and zone designation on 2.59 acres of property in Eastside, west of 5th Avenue, north of H Street, east of Isthmus Slough, and south of F Street. Oregon Department of Land Conservation and Development (DLCD) Field Representative Dave Perry submitted a letter raising the issue of adjacent tidelands owned by Georgia Pacific West. Mr. Perry stated in order to remove the water-dependency from the subject project the estuarine designation for the tidelands would need to be redesignated for non-water dependent adjacent uses. The applicant requested a continuance to the July 6, 2010 meeting in order to pursue written authorization from Georgia Pacific West to change the estuarine designation of the tidelands adjoining the subject property. Ms. Barron read a letter dated June 15, 2010 (Exhibit 1) from Stoel Rives LLP, representing Georgia Pacific West, wherein Georgia Pacific West expressed concerns about the approval of the application submitted by Mr. Angell. Mayor McKeown opened the public hearing. No public comments were given and the hearing was closed. Councilor Johnson moved to continue the hearing to July 6, 2010. Councilor Daily seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, and Melton voting aye. Councilors Kramer and Pundt were absent.

Public Hearing on Coos Bay Comprehensive Plan and Municipal Code Amendments to Incorporate Uses and Design Standards for the Hollering Place – Approval Would Require Enactments of Ordinances

Planning Administrator Laura Barron read the public hearing disclosure and stated the Urban Renewal Agency adopted the Hollering Place Master Plan on December 2, 2008 which provided direction for redevelopment of the site. Subsequently the Hollering Place zoning district was created, based on the master plan, to implement the plan and guide the development. On May 11, 2010 the Planning Commission voted unanimously to recommend approval of the proposed

amendments and zone change which included: changing the Plan designation to “Commercial” for the area west of Mill Street; the zoning of the entire subject property to the newly created zoning district, “Hollering Place”; eliminating the water-dependency designation for 2.04 acres west of Mill Street; and pursuant to Statewide Planning Goal 17, protect the minimum 76.18 acres as water-dependent. Mayor McKeown opened the public hearing. No public comments were given and the hearing was closed.

Councilor Daily moved to adopt the findings and conclusions set forth in the Planning Commission’s Final Recommendation for the amendment to Volume I, Part 1, Plan Policies, of the Coos Bay Comprehensive Plan and enact the Ordinance to add “Hollering Place” to Chapter 9.1, Plan Objectives. Councilor Eck seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 430 was enacted by the following vote:

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

Councilor Daily moved to adopt the findings and conclusions set forth in the Planning Commission’s Final Recommendation for amendments to Volume III, Coos Bay Estuary Management Plan, and enact the Ordinance to facilitate the development of Hollering Place. Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 431 was enacted by the following vote:

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

Councilor Daily moved to adopt the findings and conclusions set forth in the Planning Commission’s Final Recommendation for amendments to the Coos Bay Municipal Code Chapter 17, and enact the Ordinance creating the Hollering Place zoning district. Councilor Eck seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 432 was enacted by the following vote:

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

Councilor Daily moved to adopt the findings and conclusions set forth in the Planning Commission’s Final Recommendation and enact the Ordinance to change the plan map designation from “Industrial” to “Commercial” for the portion of the subject property west of Mill Street. Councilor Eck seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 433 was enacted by the following vote:

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

Councilor Daily moved to adopt the findings and conclusions set forth in the Planning Commission's Final Recommendation and enact the Ordinance to change the zone designation of the subject property east of Mill Street from "General Commercial" to "Hollering Place" and to change the zone designation of the property west of Mill Street from "Waterfront Industrial" to "Hollering Place". Councilor Johnson seconded the motion. Deputy Finance Director Susanne Baker read the ordinance by title only and Ordinance No. 434 was enacted by the following vote:

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

Update on the Wind Turbine Ordinance

Public Works and Development Director Jim Hossley stated draft language for the use of wind turbines had not progressed due to the workload of the Planning staff. Additionally, the City of Astoria was awarded a state grant to draft a model ordinance for coastal communities to address wind turbines. Mr. Hossley stated it would be prudent to wait until the City of Astoria's draft was available for review. It was the consensus of the Council to continue the moratorium for installation of wind turbines until the City of Astoria's draft ordinance was available for review for city staff to develop an ordinance.

Consideration of a Management Agreement With The Oregon Coast Historical Railway Museum

Economic Revitalization Administrator Joyce Jansen stated the Urban Renewal Agency amended the Downtown Urban Renewal Plan December 19, 2000 to include the Railway Historical Museum as a project and to acquire property for the museum. A Memorandum of Understanding was signed in May of 2001 assigning payment of the museum electrical bill to the City. The Oregon Coast Historical Railway Society approached the City to revise the agreement to provide additional assistance. The proposed management agreement outlined the responsibilities of the City and the Society: management fee of \$600 per quarter paid by the City for payment of electricity, water/sewer, and local phone service funded from the Hotel/Motel fund; an effective date of July 1, 2010; and renewal on a year-to-year basis if neither party provided a notice of non-renewal. Councilor Eck moved to approve the Management Agreement with the Oregon Coast Historical Railway Society for a management fee of \$600 per quarter paid by the City for payment of electricity, water/sewer, and local phone service funded from the Hotel/Motel fund; an effective date of July 1, 2010; and renewal on a year-to-year basis if neither party provides a notice of non-renewal. Councilor Melton seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, and Melton voting aye. Councilors Kramer and Pundt were absent.

Public Comments

No comments were given.

City Attorney's Report

No report was given.

City Manager’s Report

Public Works and Development Director Jim Hossley read a letter from Councilor Kramer who recently spoke with Jennifer Stephens regarding the positive civic impact the young people had during their involvement with the smoking ban issue; and reminded the Council of upcoming events: retirement lunch for three long time employees, 11:30 a.m., June 16th; Coos Bay Library centennial birthday, June 19th, Saturday, 11:00 a.m.; Boat Building Center grand opening, June 26th; Clamboree festival, June 26th; 4th of July in the park; and the dedication of the new fire station, June 27th, 2:00 p.m.

Council Comments

Councilor Daily stated the Clamboree was scheduled for June 26th. Councilor Johnson stated the Coos Art Museum was exhibiting Maritime Art from July through September. Councilor Melton congratulated the Egyptian Theater on the historical designation and congratulated the Coos Bay Library on their centennial birthday celebration. Councilor Eck stated the dedication of the new fire station was scheduled for June 27th at 2:00 p.m. and the Fireman’s Auxillary would be involved with the fish pond activities at the 4th of July in the park. Mayor McKeown also reminded the audience of the new fire station dedication on June 27th; read an excerpt from a letter received from a high school student regarding assistance to the homeless; and announced the 4th of July Mayor’s Firecracker Run.

Adjourn

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting was scheduled for July 6, 2010 in the Council Chambers at City Hall.



Jeff McKeown, Mayor

Attest: 

Rae Lea Cousens, City Recorder