

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

November 6, 2012

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

Those present were Mayor Crystal Shoji and Councilors Jennifer Groth, Jon Hanson, Stephanie Kramer, Gene Melton, and Mike Vaughan. Councilor John Muenchrath was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Economic Revitalization Administrator Joyce Jansen, Planning Administrator Laura Barron, Public Works and Development Director Jim Hossley, Library Director Sami Pierson, Fire Chief Stan Gibson and Police Chief Gary McCullough.

Flag Salute

Mayor Shoji opened the meeting and asked Nathan Jurey and Khristina Fulkerson to lead the Council and assembly in the salute to the flag.

Public Comments

No comments were given.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of October 16, 2012; and 3b: approval of an intergovernmental agreement (IGA) allowing reimbursement of law enforcement services. Councilor Melton moved to approve the consent calendar approving the minutes of October 16, 2012 and approving an IGA allowing reimbursement of law enforcement services. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Kramer, Melton, and Vaughan voting aye. Councilor Muenchrath was absent.

Discussion on Priorities of City Ordinances

Public Works and Development Director Jim Hossley stated in effort to manage day-to-day tasks and in consideration of the departments limited staffing, staff requested direction from the Council on prioritizing the following projects: an ordinance to regulate wind energy conversion systems in the city; the revision of design standards for the Empire design area on Newmark Avenue; and vending in the downtown area. Mr. Hossley also noted the city needed to adopt the newly proposed FEMA floodplain maps next year as well as proposed changes to Chapter 17.195, Flood Damage Prevention, of the Coos Bay Municipal Code (CBMC). The discussion on prioritizing City Ordinances was tabled pending further discussion on Wind Energy Conversion Systems.

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Review of Wind Energy Conversion Systems

Public Works and Development Director Jim Hossley provided a brief overview on Wind Energy Conversion Systems (WECS) basics, designs, scaling, wind averages, and ratings. On September 11, and October 9, 2012 the Planning Commission held work sessions to discuss the concept of wind turbines in the city. Based on those discussions the Planning Commission recommended wind turbines not be allowed in the city limits; but if a significant proposal were presented, the issue could be reconsidered. Mr. Hossley advised staff also sought input from the Energy Trust of Oregon (ETO) and through an on-line survey. Chris Dearth from the ETO stated to be eligible for state incentives the tower for the turbine must be a minimum of 70 feet in height and generally on one (1) acre of land. The Council was provided a copy of the online survey results which resulted in approximately 150 responses. Mr. Hossley requested the Council to consider the following options based on the Planning Commission's recommendations: Postpone work on ordinance provisions for wind energy conversion systems in the city; schedule a joint work session with the Planning Commission to discuss moving forward with an ordinance; or prepare a draft ordinance for wind energy conversion systems that are a maximum of 20 feet in height as described in the micro wind energy facility summary.

Ken Folker, Coos Bay: stated he was in favor of WECS; inquired if attic vents could be converted to utilize wind energy and if WECS could be installed from on a second story building. Mr. Hossley explained the installation WECS needed to be from ground level. Jody McCaffree, North Bend: stated she was in favor of WECS and suggested a moratorium would send the wrong message to potential businesses and energy conservation programs. Jeff Marineau, Coos Bay: stated he was a representative of the Planning Commission and expressed concern about the impact WECS would have on various views throughout Coos Bay. Discussion commenced on the various options in which the Council could proceed. Mayor Shoji inquired if the City could allow the micro scale turbines as long as they met the setback and height limitations. Mr. Hossley advised existing code did not cover WECS specifically, so the height limitations would be based on zone, and the structural integrity of the system would be based on building and electrical code. Mayor Shoji inquired what would happen if the City removed the moratorium and put in place the defined micro wind energy requirements. City Attorney Nate McClintock suggested the existing WECS moratorium should be modified to allow the specific types or heights of WECS. It was the consensus of the Council to direct staff to prepare a draft ordinance for wind energy conversion systems with a maximum of 20 feet in height as described in the micro wind energy facility summary.

Continuation of Discussion on Priorities of City Ordinances

It was the consensus of the Council to direct staff to prioritize City Ordinances in the following order: FEMA floodplain mapping, vending in the downtown area, revision of design standards for the Empire design area on Newmark Avenue, and to prepare a draft ordinance for wind energy conversion systems with a maximum of 20 feet in height as described in the micro wind energy facility summary.

Consideration of Award of Contract for Wastewater Treatment Plant No. 2 Pre-Design

Public Works and Development Director Jim Hossley provided a brief history on Wastewater Treatment Plant No. 2 (WWTP #2), Department of Environmental Quality (DEQ) mandates,

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value analysis (VA) process, and Facility Plan Amendment (FPA). Mr. Hossley advised the FPA was submitted to DEQ on June 1, 2012 and due to the close coordination between the City and DEQ throughout the process, the city received minor plan review comments. The FPA was being updated to incorporate DEQ's comments and would likely be resubmitted within the current week. The current Mutual Agreement Order (MAO) for updates required a number of mandates which must be completed within the designated deadline. Mr. Hossley advised the next critical deadline in the MAO schedule was the completion of the predesign report for WWTP #2. Upon approval of the FPA, staff would like to immediately move forward with the preparation of the WWTP 2 Predesign Report. Mr. Hossley requested the Council to consider approving an award of contract for preparation of the Predesign Report for WWTP #2 to the design team of SHN and CH2M HILL for a not to exceed amount of \$600,000. Councilor Kramer moved to approve an award of contract for preparation of the Predesign Report for WWTP #2 to the design team of SHN and CH2M HILL for a not to exceed amount of \$600,000. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Kramer, Melton, and Vaughan voting aye. Councilor Muenchrath was absent.

Review of Animal Control Ordinance for Special Permits

Police Chief Gary McCullough provided a PowerPoint presentation on the enforcement of Coos Bay Municipal Code (CBMC), Section 6.05.050, Animal Control and Permits. Chief McCullough detailed a list of various animals which required special permits for ownership within Coos Bay city limits, the recommended spacing requirements for the various animals, as well as various neighborhood issues caused by animals being raised in urban environments.

Review of Current Residency Requirements for City Committees, Boards, and Commissions

City Manager Rodger Craddock stated over the past several years the City had experienced difficulty attracting enough applications to serve on and fill the open positions on various Committees, Boards, and Commissions utilized by the Council. Previously, Council members suggested adjusting the residency requirements for membership to the following committees: Budget Committee, Building & Fire Code Board of Appeals, Design Review Committee, Library Board, Parks Commission, Planning Commission, and the Tree Board. Mr. Craddock provided an overview of staff's review of the individual authorizing documents which govern the respective committees and residency requirements for committee members; also shared a polled response on how other cities throughout Oregon regulate committee memberships. It was the consensus of the Council to direct further consideration of the current residency requirements for City Committees, Boards, and Commissions to the Charter/Rule Making Advisory Committee.

Consideration of Approval of Amendments to the Rules of the City Council for the City of Coos Bay – Approval Would Require Adoption of Resolution 12-23

City Manager Rodger Craddock advised the Charter/Rule Making Advisory Committee made several recommendations for changes to the Rules of the City Council which were presented at the October 16, 2012 Council meeting. Due to some concerns over the language in Section 3. City Boards, Commissions, Lay-Committees, and Council Committees, specifically section 3.1.2 Council Liaison Role, the proposed changes to the adopted rules were not adopted. The

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Council asked for clarification on what City Commissions, Boards, and Committees that council members served on in a liaison role versus full member status. Mr. Craddock provided the Council with a list which identified the membership role of each elected official based on current City Commissions, Boards, and Committees. Mr. Craddock advised in all cases wherein an elected official was appointed to City Boards, Commissions, and Committees; they served as full voting members. Based on aforementioned information and Section 3 of the proposed Council Rules reference only City committees, staff removed all references to Council Liaison Role. Councilor Melton moved to adopt Resolution 12-23 amending the Coos Bay Council Rules. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Kramer, Melton, and Vaughan voting aye. Councilor Muenchrath was absent.

City Attorney's Report

No comments were given.

City Manager's Report

City Manager Rodger Craddock reported next month he would present the City's new website; extended his appreciation to Councilor Hanson and wished good luck to all the other Council members up for re-election.

Council Comments

Councilor Hanson expressed his thanks for the opportunity to serve on the Council. Councilor Kramer thanked Councilor Hanson for his service; noted the Boat Building Center would be holding a beginning scrimshaw class on Saturday, November 10th from 12 to 4 pm. Mayor Shoji reported she, along with Public Works Director Jim Hossley recently attended a session on sea level hazards; requested Mr. Hossley to put together a PowerPoint presentation on the matter and its potential impact to Coos Bay.

Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for November 20, 2012 in the Council Chambers at City Hall.

Crystal Shoji, Mayor

Attest:

Susanne Baker, City Recorder