

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 20, 2014

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, Councilors Mark Daily, Jennifer Groth, Stephanie Kramer, John Muenchrath, and Mike Vaughan. Councilor Thomas Leahy was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Deputy Finance Director Amy Kinnaman, Library Director Sami Pierson, Community Development Director Eric Day, Public Works Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

Flag Salute

Mayor Shoji opened the meeting and asked Fire Chief Mark Anderson to lead the Council and assembly in the salute to the flag.

Public Comments

No public comments were given.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of May 6, 2014; 3b: acceptance of the April 2014 accounts payable and payroll check registers; and 3c: acceptance of the April 2014 combined cash report. Mayor Shoji requested item 3a: approval of the minutes of May 6, 2014 be brought down to the agenda as item 4a for further consideration. Councilor Muenchrath moved to approve the consent calendar as amended accepting the April 2014 accounts payable and payroll check registers, and accepting the April combined cash report. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Daily, Kramer, Muenchrath, and Vaughan voting aye. Councilors Groth and Leahy were absent.

New Council Business

Councilor Muenchrath announced due to professional reasons tonight would be his last meeting; stated he would be leaving the area and thus officially resigned his position. Councilor Muenchrath thanked the community for allowing him the opportunity to work with the Mayor and Council and to serve the community. It was the consensus of the Council to fill Councilor Muenchrath's vacated position through an application process. Councilor Daily inquired when the City planned to finish the Skate Park at Mingus Park. Councilor Vaughan suggested the tennis court adjacent to the Skate Park should be redeveloped as a basketball court; City Manager Rodger Craddock recommended tasking the Parks Commission to further explore the matter.

City Council Minutes – May 20, 2014

Review of the May 6, 2014 City Council Minutes

Mayor Shoji requested the minutes of May 6, 2014 be amended to correct the spelling of Patty Sanden's name on page 48 of the minutes from "Saden" to "Sanden". Councilor Muenchrath also requested his comments on page 48 of the minutes be amended to reflect that he suggested the South Coast Community Foundation (SCCF) bylaws be amended to strictly follow open meeting laws. Councilor Muenchrath moved to approve the amended minutes of May 6, 2014. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Kramer, Muenchrath, and Vaughan voting aye. Councilors Groth and Leahy were absent.

Presentation of a Proclamation on National Public Works Week by Public Works Director Jim Hossley

Public Works Director Jim Hossley stated the National Public Works proclamation would raise the public's awareness of public work issues and increase confidence in public works employees who are dedicated to improving the quality of life for present and future generations. Mr. Hossley and Mayor Shoji read the proclamation aloud, declaring the week of May 18 – 24, 2014 as National Public Works Week in the City of Coos Bay. Councilor Kramer moved to approve the National Public Works Week proclamation. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Daily, Kramer, Muenchrath, and Vaughan voting aye. Councilors Groth and Leahy were absent.

Public Input to Consider a Restoration Policy for Utility Installations in the Right-of-Way

Public Works Director Jim Hossley stated the Streets Taskforce expressed concern related to utility trench failure in City streets and recommended adoption of a right-of-way (ROW) restoration policy. The Council reviewed a draft policy during their February 18, 2014 Council meeting; following the meeting the draft policy was provided to contractors and utilities believed to be most affected by the policy. Based on comments received, staff made modifications to the previous draft. Mr. Hossley stated the Coos Bay Municipal Code (CBMC) required permits be obtained prior to cutting into any road surface and/or excavating within the ROW of public streets, and required proper repair to any resulting damage to the public street right-of-way or road surface. The draft policy would establish the basis and process for determining the level of the repair and replacement for utility cuts for both old and newly paved streets as established by CBMC, Title 12, Chapter 12.25, Utility Use of Streets.

Mr. Hossley provided a PowerPoint presentation of the existing policy vs. the draft policy noting the draft policy provided two different levels of effort related to ROW application process. In effort to better manage pavement degradation from the effects of utility cuts, staff recommended through the policy that the City prohibit (except in emergency case by case basis) cutting into new pavements for three (3) years after paving was completed; the three year moratorium would include overlays, inlays, reconstruction, and new construction at least a half street or greater. Councilor Daily expressed concern about overburdening a homeowner with ROW repair expenses; suggested capping homeowner expenses. Mayor Shoji opened the discussion for public input. John Radosevich stated he was an Engineer with NW Natural Gas; suggested the proposed policy had a long-reaching impact on all utility providers; advised proposed policy could potentially double current natural gas costs to local residents; stated NW Natural Gas

City Council Minutes – May 20, 2014

owned their cuts for the life of the cut; recommended developing a required outcome process rather than a policy which directed the process. Councilor Daily inquired why the bore hole for natural gas lines were so large and questioned why they not backfilled. Mr. Radosevich explained the backfill process for gas line bore holes. Ryan McCarty Coos Bay Field Supervisor for NW Natural Gas provided the Council with a document which explained the preferred methods for bore standards. Councilor Muenchrath suggested the basis of the proposed policy was to protect moratorium streets. Shane Johnson of Johnson Rock Products stated the theory of the policy was good; suggested the process for inlay construction had improved over the last ten years. Mayor Shoji suggested simplifying the policy for homeowner use to include definitions; recommended staff continue to work with stakeholders to further develop the policy. Councilor Vaughan inquired as to the ratio of emergency repairs to planned repairs; recommended coordinating planned repairs with utility providers. No decisions were made.

Review of an Amendment for the Bio-solids Design for Wastewater Treatment Plant 2

Public Works Director Jim Hossley stated staff contracted with Dyer Partnership to perform a regional analysis for biosolids handling for wastewater treatment plants one and two (WWTP#1 and WWTP#2). Prior to the biosolids handling investigation the plan for WWTP#2 biosolids was similar to the current process used today; keep portions of the old WWTP#2 on line to utilize the existing digesters to process the sludge into biosolids. Then truck the biosolids to WWTP#1 and pipe them to the Eastside Lagoon until the summer land application work commenced. Dyer Partnership's completed analysis presented a preliminary concept to remove biosolids handling altogether at WWTP#2. A force main pipe would be installed to send sludge from the new WWTP#2 to the digesters at WWTP#1; also included an upgrade to the digesters at WWTP#1 to handle the additional sludge. Mr. Hossley stated it was not known if the upgrades would occur during the construction of WWTP#2 or with the upgrade for WWTP#1 proposed for 2018. Estimated upfront construction costs savings was \$2 million dollars.

Mr. Hossley explained by completely eliminating biosolids at WWTP#2, the City would save money eliminating the cost of the daily truck hauling, operator time, and maintenance of digesters over the life of the new WWTP#2. It was anticipated that design costs would be lower if the design for the work was performed in conjunction with the final design for WWTP#2 because the engineer was already familiar with the project. By constructing the force main from WWTP#2 to WWTP#1 with the new construction of WWTP#2, the City could fully demolish the existing plant site and eliminate any structures and/or processes to maintain on the old site. A total of \$1.8 was budgeted for the design and construction of WWTP#1 and WWTP#2; actual contract amount approved by Council in February 2014 including contingency was \$1,688,974; staff requested an amendment for \$300,000. Councilor Muenchrath moved to approve an amendment to Wastewater Treatment Plant #2 final design contract in the amount of an additional \$300,000 for design of the biosolids handling for WWTP#2. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Kramer, Muenchrath, and Vaughan voting aye. Councilors Groth and Leahy were absent.

Consideration of Next Steps for Repair or Replacement of the Library

City Manager Rodger Craddock stated as reported on April 1, 2014 by engineers from SHN and ZCS, the existing Library foundation pilings were inadequate to support the structure and groundwater fluctuation could be deteriorating the top timber pilings which could also be

City Council Minutes – May 20, 2014

contributing to the observed settlement. SHN and ZCS advised the best option for remediation of the settlement and to provide adequate support of the building was to install 207 cased micro-piles at a depth of approximately 120' at an estimated cost of \$6,337,000. The cost only included fixing the foundation of the building, did not include replacement of the deteriorated roof, did not address the antiquated HVAC systems, or the inadequate electrical system at the facility. The estimated cost also did not include the cost involved to relocate library operations to a temporary facility for the year to year and a half it would take to install the micro-piles. Mr. Craddock stated the City currently did not have the necessary resources to undertake the repairs or to build a new library. Councilor Muenchrath suggested the Council should consider repurposing a vacant building. City Manager Rodger Craddock estimated a two acre space would be needed to rebuild the library building; noted the existing building was being monitored by staff and was not currently in danger.

Library Director Sami Pierson provided the Council with a presentation of present use of the Coos Bay Library and anticipated future needs; noted E-content libraries only offered online content but did provide meeting spaces, and community classes. The Coos Bay Public Library had 188,219 visitors last fiscal year and 295,566 physical items circulated; noted growth in E-content use but by far, majority use was hard copy content. Councilor Daily recommended a work session to gain a better understanding of the Library's capacity to lend the various types of materials. Ms. Pierson noted there were many restrictions to E-content materials including copyright limitations, proprietary software, and electronic device format and requirements. Mr. Craddock suggested conducting a needs assessment if the Council were to decide to build a new library building; stated SHN and ZCS did not recommend repairing the existing library; suggested the community of Coos Bay could benefit from a more modern library facility and the City may come out money-ahead by pursuing a newer more efficient building. The Library Board, Library Foundation, and City staff concurred with the recommendation of SHN and ZCS.

Councilor Groth and City Attorney McClintock entered the meeting at approximately 8:37 p.m.

Bruce Bennett, Coos Bay: stated he was the Chair of the Coos Bay Library Board of Trustees; suggested the Library was the center of the community and was necessary regardless of how, what, or when technology might change things. Ann Donnelly, Coos Bay: suggested it would be cost effective to rebuild a new library on its existing site; cautioned not to allow the consideration of technological changes be a deciding factor for the library. Councilor Vaughan recommended the Library be moved to a different site. Mayor Shoji suggested the City needed to plan where the City should grow. Councilor Daily suggested there should be some sort of guarantee to ensure buildings were constructed properly. Councilor Kramer was not in favor of repairing the existing building. Councilor Groth suggested implementing a plan of action for a temporary location for if and/or when the existing structure failed. It was the consensus of the Council to seek feedback from community as to the future of the Library building.

Appointments to the South Coast Community Foundation

City Manager Rodger Craddock stated on May 6, 2014 the Council authorized the City's membership in the South Coast Community Foundation (SCCF) and ratified the initial members of the Foundation Board and the recently updated SCCF bylaws. The next step was to appoint an additional director (public director) as allowed by Sections 2.2 and 2.4 of the SCCF bylaws and designate a member of the City's governing body to represent the City at future meetings.

City Council Minutes – May 20, 2014

Mr. Craddock reviewed Sections 2.2 and 2.4 of the SCCF bylaws with the Council; advised the Council had several options available to make the appointment of the director and/or member representative. Mayor Shoji stated Councilor Leahy was interested in representing the Council but was not in attendance to discuss the matter; suggested postponing the appointment until Councilor Leahy was available. Mayor Shoji volunteered to temporarily sit in as the representative until a formal appointment was made. Councilor Daily liked the idea of appointing the President of the Coos Bay School Board as the City's public director. It was the consensus of the Council to take applications and conduct interviews to appoint a director and/or a member representative and to temporarily appoint Mayor Shoji as the member representative until a formal decision was made.

Oregon Community Foundation

Councilor Groth addressed the Council as a representative of the Leadership Council for the Oregon Community Foundation (OCF) and announced two local grant awards on behalf of the Fred W. Fields Fund. A \$70,000 grant award was presented to Coos Art Museum Director Steven Brooks to benefit a studio to school partnership between the Coos Art Museum and Sunset Middle School. Mr. Brooks stated the grant award was a wonderful thing for Sunset Middle School; noted the concept was to create a model art partnership with the School that will be able to be transplanted to other schools throughout Oregon. A \$20,000 grant award was presented to Egyptian Theatre Preservation Association (ETPA) Director Greg Rueger to assist the ETPA with the hiring of a new manager for programming and operations. Mr. Rueger thanked the OCF and the Fred W. Fields Fund for their support of the Egyptian Theatre.

City Attorney's Report

No comments were given.

City Manager's Report

City Manager Rodger Craddock announced interim field audit for fiscal year 2014 was completed with no findings; clarified the Council's desire to expand the no smoking ban to the wooden covered areas on the boardwalk; noted Library Board requested Council consider placing a no smoking ban on the entire Library property.

Council Comments

Councilor Groth suggested there was good input from community members during the recent Town Hall meetings on Wastewater and Street Infrastructure needs; noted many retirees on fixed incomes voiced concerns about rate increases. Councilor Daily expressed support for the Egyptian Theatre grand re-opening scheduled for June 20th. Councilor Kramer stated it was an honor to serve with Councilor Muenchrath and noted he would be missed. Councilor Vaughan suggested a community outreach effort to help develop a planning process for the City's future. Mayor Shoji stated she had the opportunity to participate in Habitat for Humanity Women Build program and spoke in favor of the program; highlighted Kairos, an organization dedicated to helping young people at-risk; invited Council, staff, and the community to walk with her and Mayor Wertherell of North Bend in the upcoming Memorial Day Parade. Councilor Muenchrath

City Council Minutes – May 20, 2014

expressed his gratitude to the Council and the community; thanked everyone for the opportunity to serve.

Executive Session

An executive session was held pursuant to ORS 192.660 (2) (h) for Consultation with Legal Counsel Concerning Legal Rights and Duties Regarding Current Litigation or Litigation Likely to be Filed. No decisions were made.

Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for June 3, 2014 in the Council Chambers at City Hall.

Crystal Shoji, Mayor

Attest: _____
Susanne Baker, City Recorder