

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

September 16, 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 Brian Bowers, Mark Daily, Jennifer Groth, Thomas Leahy, and Mike Vaughan. Councilor Stephanie Kramer was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Community Development Director Eric Day, Library Director Sami Pierson, Public Works Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

Flag Salute

Mayor Shoji opened the meeting and asked Councilor Jennifer Groth to lead the Council and assembly in the salute to the flag.

Public Comments

Gina Young, Coos Bay: spoke on behalf of the Coos Bay Downtown Association (DTA) and reported Main Street Manager Brian Bowers stepped down from his position but was still actively assisting the DTA on a volunteer basis; noted the board was in the process of recruiting a new Main Street Manager and working on grant opportunities.

Councilor Vaughan entered the meeting.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of September 2, 2014; 3b: acceptance of the August 2014 accounts payable and payroll check registers, and; 3c: acceptance of the August 2014 combined cash report. Mayor Shoji requested approval the minutes of September 2, 2014 be moved down to the agenda as item 4a for further consideration. Councilor Groth moved to approve the consent calendar as revised accepting the August 2014 accounts payable and payroll check registers and accepting the August 2014 combined cash report. Councilor Bowers seconded the motion which carried with Mayor Shoji and Councilors Bowers, Daily, Groth, Leahy, and Vaughan voting aye. Councilor Kramer was absent.

New Council Business

No comments were given.

Approval of the Minutes of September 2, 2014

Mayor Shoji stated Connie Stopher's name was not spelled correctly as noted within the Public Comments section of the September 2, 2014 City Council minutes. Mayor Shoji moved to

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accept the minutes of September 2, 2014 as revised. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Bowers, Daily, Groth, Leahy, and Vaughan voting aye. Councilor Kramer was absent.

Presentation on the Retirement of Police K-9 Patrol Dog Buddy

The presentation on the retirement of Police K-9 Patrol Dog Buddy was rescheduled for a future meeting date yet to be determined.

Presentation on the Look Me in the Eye Proclamation by Robert Morris

Star of Hope Representative Robert Morris was unable to attend the Council meeting. It was the consensus of the Council to postpone the Presentation on the Look Me in the Eye Proclamation to be rescheduled for a future meeting date yet to be determined.

Approval of Adoption of the City's Investment Policy

Finance Director Susanne Baker stated a review of internal controls and policies revealed the City of Coos Bay did not have a formal investment policy and had not been complying with a short, one page investment guideline (Exhibit A). In an effort to adopt best practices for the City in all areas, research was conducted based on Oregon Revised Statutes and discussions were held with the Oregon State Treasury and other governmental entities. A template was developed based on a sample Oregon Short Term Fund Board (OSTFB) investment policy. Oregon Revised Statute (ORS) 294.135 required the investment policy to be reviewed and approved by the OSTFB because it allowed investments with a maturity date of over 18 months. The proposed investment policy as presented to the Council (Exhibit B) was developed and submitted to the OSTFB for review in 2013 which resulted in a request to resubmit the policy with suggested changes. The second draft was submitted and approved by the OSTFB in July 2014.

Ms. Baker stated the proposed investment policy would implement many best practices which included setting a policy for transparency to the public highlighting the City's consideration of the safety, liquidity, and yield of public funds when investing. The proposed investment policy set forth a requirement and process of vetting financial advisors to ensure due diligence of credentials, certifications, references, and ethics when seeking investment advice. The policy further developed internal control processes for day to day management of invested funds and ratified a reporting method of the balances and yields on a monthly basis (provided in the monthly financial reports). Additionally, the proposed policy required compliance with accounting methods that met Generally Accepted Accounting Principles (GAAP). Councilor Groth moved to adopt the OSTFB approved Investment Policy. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Bowers, Daily, Groth, Leahy, and Vaughan voting aye. Councilor Kramer was absent.

Award of Contract for a Pavement Condition Survey and Asset Management Plan

Public Works Director Jim Hossley stated one of the recommendations from the Streets Task Force was to update the City's Street Condition Assessment which was last completed in 2002. Staff advertised a request for proposal in August which consisted of two components; first was

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to perform a pavement condition survey to update the pavement condition index for each street section in the City's 2002 survey; the second was to create an asset management plan. Four proposals were received. Mr. Hossley noted Heberly Engineering had the low cost bid but based on review of the firms' proposals, their experience, and cost, staff recommended awarding the contract to OMNIS, Inc. for \$29,000. Councilor Groth briefly reviewed the Streets Tasks Force intent for the new survey noting funding and other alternatives would be considerations of the Task Force once the survey was completed. Councilor Leahy moved to approve the award of contract to OMNIS, Inc. for consulting services of Pavement Condition Survey and Asset Management Plan for an amount not to exceed \$29,000. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Bowers, Daily, Groth, Leahy, and Vaughan voting aye. Councilor Kramer was absent.

Discussion on the Sternberg Light Shades

Public Works Director Jim Hossley stated in 2010 the City obtained grants from the Oregon Department of Energy and Energy Trust of Oregon to improve the efficiency of our Sternberg sidewalk lights and street lights. The project reduced the wattage of lights by 50%; achieved by replacing the internal ballast and reducing the wattage of the bulbs. Per recent request by the Council, staff inquired about putting shades on the globe of the Sternberg to direct the light down. Staff contacted Sternberg representative Lightrix of Portland, Oregon to see what was available. Lightrix representative, Dave Emory advised shades were available but cautioned against the installation; noted when the City reduced the watts of the Sternberg by 50% in 2010 it reduced the glare coming off the Sternberg. If the City installed the shades it would reduce the illumination by another 25% and would most likely leave dark areas between Sternberg's. Mr. Emory recommended leaving the Sternberg's in their current state and when it came time to change the ballast or bulb in the Sternberg, the light pole could be upgraded to LED which had a soft light, would still maintain horizontal light coverage, and would prevent upward overcast. Mr. Hossley noted the LED retro kit for replace the Sternberg was: \$465 to replace 50 watt high pressure metal halide (HPMH), \$488 for 70 HPMH, and \$517 for 100 HPMH. Staff recommended Council consider upgrading the Sternberg lights to LED over time as the budget allowed. Should Council desire to install shades, staff recommended the project be budgeted in the next or future fiscal year.

Councilor Vaughan inquired how often bulbs or ballasts were replaced. Mr. Hossley stated bulbs were replaced as they burned out and/or due to auto accidents. Councilor Vaughan expressed concern about "hot spots" over crosswalks. City Manager Rodger Craddock recommended asking the Police Department if "hot spots" were causal factors in crosswalk accidents. Councilor Vaughan suggested changing the lens of the lights to help eliminate bright spots. City Manager Craddock noted LED lighting was scheduled to be installed as part of the S. Empire Boulevard sidewalk project. Councilor Groth stated she preferred well lit areas. No decisions were made.

Discussion on Sanitary Sewer Permits and Evolving Stormwater Regulations

Public Works Director Jim Hossley provided a brief history on the City's two National Pollutant Discharge Elimination System (NPDES) permits for sanitary sewer (one for each treatment plant). Mr. Hossley noted Plant 1's permit was renewed in 2013 and would expire in 2018. Plant 2's permit expired in 2007 but Department of Environmental Quality (DEQ) issued an

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extension with the intention of issuing a renewal in 2015. DEQ sent out the renewal for Plant 2 for public review and input in 2013 which resulted in concern over the 1991 Mixing Zone Study for Plant 2. Mr. Hossley noted the mixing zone was an area (defined by DEQ) immediately downstream of the plant's outfall. The 1991 study analyzed the dilution of the effluent with the bay water in the vicinity of outfall or discharge pipe. The effectiveness of the dilution at the outfall impacted the effluent limits identified in the NPDES permit. The 1991 Mixing Zone Study could not be found to support the dilution rates in the existing permit, neither the City nor DEQ could provide a copy. As such, DEQ asked the City to perform another mixing zone study. Due to the age of the outfall and the results of a dive report performed in December 2009, staff had concerns that the results of the mixing zone study may determine dilution needed to be improved. Mr. Hossley stated this could significantly impact the limits, testing, and reporting requirements in the upcoming permit renewal; noted the City may want to consider construction of a new outfall.

Mr. Hossley stated due to the population size of the City of Coos Bay, stormwater was not currently required/covered under the NPDES permit. DEQ recently advised staff that new stormwater regulations affecting the City would be forthcoming. However, DEQ staff suggested the City should update their stormwater ordinance and create and implement a stormwater management plan for new development and re-development which would allow for the City to be "self-regulating" and thus not be subject to the NPDES permit for stormwater. Mr. Hossley stated staff recently applied for a DEQ state revolving fund (SRF) loan for the construction of Plant 2. The SRF application also allowed an opportunity for the City to apply for a Sponsorship Option (SO). The SO would fund non-point source projects (stormwater quality/volume and duration control). The City submitted nine projects; two of which would update the stormwater ordinance and create a stormwater management plan. DEQ staff suggested it would be a benefit to the City if the stormwater ordinance was updated and the stormwater management plan was created prior to the issuance of the NPDES permit for stormwater. Mr. Hossley noted recent projects (including Plant 2) have been challenged by some environmental and resource agencies due to lack of water quality requirements for new and re-development projects. Updating the stormwater ordinance and creating a management plan would potentially minimize permit processing and not hinder construction schedules on future capital improvement projects.

Mayor Shoji asked if it was the City's plan to update stormwater regulations where in Mr. Hossley stated yes and noted the stormwater ordinance would be stand-alone. Mayor Shoji recommended the ordinance be incentive based. Councilor Vaughan inquired as to what type of projects would be considered low-impact development. Mr. Hossley suggested narrower streets, situating buildings in a specific way, leaving more open spaces, etc. Mayor Shoji requested Community Development Director Eric Day be included in the drafting of the proposed ordinance

City Attorney's Report

City Attorney Nate McClintock stated he had only received two evaluations for the City Manager's evaluation scheduled for next Council meeting.

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City Manager's Report

City Manager Rodger thanked the Finance Department staff for a successful completion of the fiscal year end 2014 audit; noted the Bay Area Fun Festival was scheduled for the coming weekend; thanked the Coos Bay Fire Department for picking up litter along Ocean Boulevard this past weekend. Fire Chief Mark Anderson shared the Fire Department had five new student interns who assisted in painting the Empire Fire Station. City Manager Craddock noted staff was working to complete an external review of the City's permitting process and doing business in Coos Bay; upcoming Council business included consideration of implementing a tax for medical marijuana and recreational marijuana; noted a special meeting of the Coos Bay City Council was scheduled for 5:30 p.m. on Tuesday, September 30th at Sunset Middle School.

Council Comments

Councilor Leahy attended Pacific Power luncheon on historic buildings; stated it was a good presentation and highlighted various opportunities to retrofit historic buildings. Councilor Daily suggested the signage for the Prefontaine Run were looking tattered; welcomed the Sugar Shack Bakery to Coos Bay. Councilor Vaughan noted the population signs on the north end and south end of town had two different population totals. Mayor Shoji highlighted the Fire Department's disaster preparedness event this past weekend; noted concerns and expectations for people living in high level areas; suggested staff look into promoting the map your neighborhood preparedness plan; advised citizens could go to Jordoncoveone.com to review project details including proposed/potential vendor services and needs.

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 October 7, 2014 in the Council Chambers at City Hall.

Crystal Shoji, Mayor

Attest: _____
Susanne Baker, City Recorder