

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 19, 2015

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

Flag Salute

Mayor Shoji opened the meeting and asked the group from the Purple Heart Proclamation to lead the Council and assembly in the salute to the flag.

Public Comments

John Hill, Coos Bay: spoke in favor of the D.B. Western proposal to build a wastewater treatment plant on the North Spit. Bill Davis, Coos Bay: spoke in favor of the city building a dog park; asked for Council consideration on the matter. Len Milbuyer, Coos Bay: asked for additional traffic/speed enforcement along Ocean Boulevard. Denny Powell, Coos Bay: expressed concern about wastewater treatment planning for the future. Matt Rowe, Coquille: promoted City of Coquille's Gay 90's celebration to be held on June 6, 2015.

Councilor Vaughan entered the meeting at 7:02 p.m.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of May 5, 2015; 3b: acceptance of the April 2015 accounts payable and payroll check registers; 3c: acceptance of the April 2015 combined cash report, and; 3d: approval of Oregon Liquor Commission Control (OLCC) license renewals for Bassett-Hyland Energy Company; Benetti's Italian Restaurant; Blue Heron Bistro; Blue Moon Saloon and Café; Gooney's Sports Bar; Kum Yon's Restaurant; Silver Dollar Tavern; Tokyo Bistro, and; Wal-Mart Super Center #1880. Councilor Kramer moved to approve the consent calendar approving the minutes of May 5, 2015, accepting the April 2015 accounts payable and payroll check registers, accepting the April combined cash report, and approving OLCC license applications for Bassett-Hyland Energy Company; Benetti's Italian Restaurant; Blue Heron Bistro; Blue Moon Saloon and Café; Gooney's Sports Par; Kum Yon's Restaurant; Silver Dollar Tavern; Tokyo Bistro, and; Wal-Mart Super Center #1880. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Brick, Daily, Groth, Kramer, Leahy, and Vaughan voting aye.

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New Council Business

Councilor Kramer requested staff look into requiring upper level management to reside within the city limits of the City of Coos Bay.

Mayor Shoji expressed concern about the condition of Pacific Power & Light's equipment located throughout the City.

Councilor Brick asked for council consensus on status of the wastewater treatment plant North Spit proposal. Councilors Groth, Kramer, and Mayor Shoji were not in favor of having another meeting on the North Spit proposal. Councilor Leahy wanted more information as to the urban growth boundary and the Oregon International Port of Coos Bay's proposal to locate a regional wastewater treatment plant on North Spit. Councilor Vaughan was in favor of an ocean outfall and continued consideration on the matter. Councilor Daily suggested staff could look into an ocean outfall for current or future projects. Councilor Kramer expressed concern about excessive use of staff time on the matter. City Manager Rodger Craddock stated the City of Coos Bay was in compliance with Environmental Protection Agency (EPA) and Department of Environmental Quality (DEQ) requirements. Councilor Kramer moved to direct staff to spend no further time on the proposal. Mayor Shoji seconded the motion. Councilor Daily suggested the burden was on D.B. Western to provide a viable proposal to the City. City Manager Craddock stated the City was positioned to break ground on the new wastewater treatment plant #2 in the next few months. A call for the question was made which carried with Mayor Shoji and Councilors Brick, Daily, Groth, Kramer, and Leahy voting aye and Councilor Vaughan voting nay.

Presentation of an Appreciation Plaque for Jake Robinson

City Manager Rodger Craddock introduced Jake Robinson and thanked him for his service to the community and Tree Board. Mayor Shoji presented Mr. Robinson with an appreciation of service plaque. Mayor Shoji stated Mr. Robinson served on the Tree Board from June 2011 to April 2015.

Presentation of a Proclamation on Purple Heart City

City Manager Rodger Craddock provided a brief overview on Purple Heart Proclamation. Purple Heart recipients and their families approached the City requesting a proclamation in support of the Purple Heart to proclaim, out of honor for those who were injured or lost their lives while serving their country. The Purple Heart proclamation would identify the City of Coos Bay as a community appreciative of the sacrifices Purple Heart recipients made while defending freedoms and acknowledged their courage. City Manager Craddock introduced Bernie Brown; noted the Purple Heart recipients also requested to purchase signs for City staff to install. Mr. Brown and Mayor Shoji read the proclamation aloud, declaring the City of Coos Bay as "A Purple Heart City". Councilor Groth moved to approve the Purple Heart City proclamation. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Brick, Daily, Groth, Kramer, Leahy, and Vaughan voting aye.

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Presentation of a Proclamation on National Bike Month

City Manager Rodger Craddock stated members of the Coos County Friends of Public Health (CCFOPH), approached Mayor Shoji requesting a proclamation in support of “Bike for Fun and Health, National Bike Month”. CCFOPH Secretary Renee Menkens and Mayor Shoji read the proclamation aloud, declaring the month of May 2015 as Bike for Fun and Health, National Bike Month in the City of Coos Bay. Councilor Kramer moved to approve the Bike for Fun and Health, National Bike Month proclamation. Councilor Leahy seconded the motion. Councilor Vaughan stated the Oregon Department of Transportation (ODOT) did not encourage cyclists to travel on Highway 101; suggested staff should advocate for better bike lanes to promote travel through the City rather than around the City. A call for the question was made which carried with Mayor Shoji and Councilors Brick, Daily, Groth, Kramer, Leahy, and Vaughan voting aye.

Presentation on the Blossom Gulch Fisheries

Oregon Department of Fish & Wildlife (ODF&W) Fish Biologist Tom Rumreich commended the City of Coos Bay and CH2M Hill on the Blossom Gulch Chinook salmon release. Mr. Rumreich stated the release program began in 1998 and noted 3.6 million Chinook salmon had been released to date; highlighted Blossom Gulch Elementary School student participation in the Chinook Egg Program. The Blossom Gulch five year study found 11,000 chinook were harvested annually, over 82% returned were hatchery Chinook, over 30% were exploited (caught), and noted an average of 8% stray. The program provided a \$2.7 million dollar economic impact to community. Mr. Rumreich noted the Blossom Gulch Fisheries was a strong community connection starting with the broodstock collections to release and noted it provided profound economic and educational opportunity.

Public Hearing to a Consider Restoration Policy for Utility and Service Lateral Installation in City of Coos Bay Right-of-Way – Approval Would Require Adoption of Resolution 15-07

Public Works Director Jim Hossley stated the Streets Taskforce expressed concerns related to utility trench failures in City streets and recommended adoption of a right-of-way restoration policy. Over the past year, City staff presented the draft policy at two City Council meetings and worked with contractors and utilities believed to be most affected by the policy. Based on feedback from Council and affected parties, modifications to previous drafts were made and presented for Council’s consideration. The legal basis for the City’s policy was established in the Coos Bay Municipal Code (CBMC), Title 12, Chapter 12.25, Utility Use of Streets. In effort to better manage pavement degradation from the effects of utility cuts, staff recommended the City prohibit (except in emergency and case by case basis) cutting into new pavements for three (3) years after the paving was completed. The 3-year moratorium on cutting into all new pavements services included overlays, inlays, reconstruction, and new construction of at least a half street or greater.

Mr. Hossley reviewed the draft policy which provided substantial written guidance to City staff, utility owners/contractors and residents; recommended the resolution be made effective starting January 1, 2016 to allow time for utility providers and contractors to prepare for the increased costs. The proposed policy provided for two different levels of effort related to the utility permit application process. Cutting into a moratorium street would require more significant effort to

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obtain the permit and perform the repair work than cutting into a non-moratorium street. Mr. Hossley noted the proposed policy would result in increased requirements and effort to obtain a utility permit for excavation; resulting in increases to the cost of repairing trench cuts. The proposed policy applied to private utilities, property owners, the Coos Bay – North Bend Water Board, and the City of Coos Bay. Mr. Hossley noted the policy would result in an increase in the cost and repair and replacement projects for City drainage and sanitary sewer pipes. Mayor Shoji inquired as to the impact of the proposed change to private property owners. Mr. Hossley stated private property owners could be required to cutout and repair two feet outside of the trench repair; cuts on moratorium streets would require contracted repair of the street. Councilor Daily expressed concern about the impact and significant expense imposed on local citizens and suggested the City was negligent in the upkeep and repair of city streets.

Mayor Shoji opened the public hearing. Kortney Johnson, Coos Bay: stated he owned Johnson Rock Products; stated he found value in having minimum standards; expressed concern regarding economic impact/increased costs to homeowners; suggested proposed policy could more than double costs. Disliked the saw cut line requirements listed in moratorium street section of the policy; noted high cost requirements for compaction testing; suggested City staff inspection would be sufficient; suggested an exemption for smaller patch repairs. City Manager Rodger Craddock suggested the Council could adopt a restoration policy to replace laterals in roadway up to the property line wherein the city would take responsibility for the street repair. Robert Moore, Coos Bay: suggested a lateral repair out to the city main line should be a shared responsibility between the homeowner and the City; suggested the City should look into providing financing options for homeowners to complete required repairs. Mayor Shoji asked how the existing quality of a street played into the requirements placed homeowners. Mr. Hossley cited consideration on a case by case basis but noted there was potential for a trench repair to be of better quality than the surrounding street. Councilor Vaughan believed the City initially installed the streets; suggested the City had a responsibility to maintain and repair the streets. Councilor Daily suggested the City should improve existing road quality and only then consider implementation of the proposed policy. Ryan Mccarty, Coos Bay: stated he worked for Northwest Natural Gas; suggested the proposed policy would at least double the cost for natural gas installation; stated he would like to have a discussion with Mr. Hossley on the minimum standards. Denny Powell, Coos Bay: recommended the Council not adopt the proposed Resolution 15-07; expressed concern about the cost impact to sewer rates. No further public comments were given and the hearing closed.

Councilor Groth stated the Streets Task Force identified minimum standards as a way to increase the longevity of city streets. Councilor Daily did not think it was appropriate to apply the proposed standards to streets that were failing. City Manager Craddock suggested using the grading system for road surfaces and to apply the policy to streets deemed “good”; anything below “good” the policy would not apply. Council consensus was to develop a policy with a more tiered approach and one that would work in tandem with the City’s transportation system policies.

Approval of Amending Resolution 15-06 Setting Sewer User Rates, Charges, and Fees – Approval Would Require Adoption of Amended Resolution 15-06

Finance Director Susanne Baker stated on May 5, 2015 the City Council adopted Resolution 15-06 adopting new sewer fees pursuant to direction from the FYE 16 budget hearings to finance

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wastewater improvement projects. After adoption of the resolution, a clerical error was found in the multifamily section of the resolution. The base fee was to be calculated according to how many units were in a facility and the words “per unit” in Section 3 was missing. Resolution 15-06 Amended retroactively corrected the error in the resolutions from 2011 through 2015. Ms. Baker also noted during the May 5, 2015 Council meeting, staff was requested to provide information regarding the sewer fee methodology used to calculate rates. Staff contacted rate study consultant Steve Donovan of Donovan Enterprises and requested him to prepare a white paper to answer questions posed. The information was anticipated to be presented at the June 2, 2015 Council meeting.

Denny Powell, Coos Bay: provided the Council with a letter of request for a reevaluation of sewer fee user classification and sewer fee adjustments commencing with or before year 2000. City Manager Rodger Craddock stated the methodology for calculation was the same, nothing changed; noted the calculation was an excepted industry practice. City Attorney Nate McClintock suggested the change was a clerical error and found nothing prohibiting the Council from adopting the change retroactively. Councilor Groth moved to adopt Amended Resolution 15-06 Setting Sewer User Fees. Mayor Shoji seconded the motion. Discussion continued. A call for the question was made which carried with Mayor Shoji and Councilors Brick, Groth, Kramer, Leahy, and Vaughan voting aye and Councilor Daily voting nay.

Approval to Accept the Coos Bay Transit Station Grant Award

Public Works Director Jim Hossley provided the Council with a PowerPoint presentation on the weekend evening parking survey for the public lots surrounding the proposed transfer station; noted evening use was not as high as during the daytime. Mr. Hossley provided the Council with a map which identified private parking areas within the downtown area along with two City owned properties, the old fire station site and old Lockhart Building sites; noted approximately 70 on-street parking spaces were identified along City streets surrounding the proposed bus transfer station location. City Manager Rodger Craddock noted the grant was awarded based on the Pedway location and was not transferrable to another site; declining the grant could negatively impact the City’s chances for future grant awards. Coos County Area Transit (CCAT) Representative Russ Petersen stated CCAT’s funding was based on population.

Carol Taylor, Coos Bay: expressed concern over the loss of 25 parking spaces in the downtown and asked the Council to vote no. Gina Young, Coos Bay: agreed with Ms. Taylor’s remarks and noted the Downtown Association was working with business owners to use the parking lots in effort to open up on-street parking for patrons. Grant Walding, North Bend: inquired if the grant covered the entire cost to complete the project. Mr. Hossley stated the city would provide in-kind labor, remainder of the costs were covered by grant. Mr. Walding expressed concern about overgrown trees throughout the City; urged the Council to vote no on the project. Councilor Daily was in favor of rejecting the grant but to continue to work with CCAT to find a better location for a transfer station. Councilor Groth was unclear if there was a need for a transfer station. Councilor Vaughan suggested mass transit was an important for all communities. Councilor Daily moved to reject the grant. Councilor Kramer seconded the motion. A call for the question was made which carried with Mayor Shoji and Councilors Brick, Daily, Groth, Kramer, and Leahy voting aye and Councilor Vaughan voting nay.

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Approval of Coos Bay Police Officer Association 2015-2017 Collective Bargaining Agreement

City Manager Rodger Craddock stated the labor contract between the City and the Coos Bay Police Officer's Association (CBPOA) was slated to expire on June 30, 2015. In October 2014 the City received notification from CBPOA's President Ty Meier of their desire to enter into contract negotiations. City Manager Craddock, Police Chief Gary McCullough, and Police Captain Chris Chapanar met with the CBPOA's Bargaining Team Members on three occasions over the past five months. At the request of the CBPOA, no attorneys were present in the meetings. Based on the meetings several tentative agreements were made subject to the approval of the Council. Under the proposed contract, bargaining unit members would receive a cost of living adjustment of 1% for year one, 1% for year two, and ½ to 3% for year three based on the CPI-W B/C. City Manager Craddock stated on May 12, 2015 the CBPOA held a general membership meeting during which association members unanimously approved the proposed 2015-2017 collective bargaining agreement between the CBPOA and the City. Councilor Groth moved to approve the tentatively negotiated contract changes and to allow the City Manager to sign a new three year FYE 2015-2018 labor contract with the Coos Bay Police Officer's Association. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Brick, Daily, Groth, Kramer, Leahy, and Vaughan voting aye.

City Attorney's Report

No comments were given.

City Manager's Report

City Manager Rodger Craddock stated the road repair on Ocean Boulevard near the Coos Bay – North Bend Water Board (CBNBWB) was scheduled to be completed next month. The South Empire Boulevard project was moving along; waiting for the CBNBWB to move their utility. Mr. Craddock noted there was very limited time left for the CBNBWB to move their utility in order for the City to receive the over \$5 million dollars in grant funds; stated he was going to ask the CBNBWB to post a bond to fully fund the project should City lose the grant funding due to the CBNBWB not completing their utility move in time. Police Chief Gary McCullough stated he and North Bend Police Chief Robert Kappelman would be hosting a "Coffee with a Cop" event at Southwestern Oregon Community College at Empire Hall on Thursday, May 21, 2015 from 11 a.m. to 1 p.m. City Manager Craddock noted the City's auditors completed the initial fiscal year 2015 field audit last week and was happy to report no issues were found. The Pacific Power and Light franchise negotiations were completed; rate would increase from 7% to 9% to cover the costs to power city streetlights which would allow for more gas tax funds to go towards needed street repairs.

Council Comments

Councilor Vaughan stated the sidewalk at entry of Boardwalk was cracking; suggested the one-way alley near the Fred Meyer gas station was impractical; noted George Kramer was meeting with the Little Theatre on the Bay next week; inquired about installing a center lane on Ocean Boulevard from Woodland Avenue to the "Y". Councilor Leahy thanked everyone who participated in the Festival of Sail Event. Councilor Daily reminded everyone of the Wednesday

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Farmers Market. Mayor Shoji stated she signed on with other Mayors throughout the state to urge the state pass a comprehensive transportation package; announced the Memorial Day Parade was scheduled for May 30, 2015 at 11:00 a.m. and invited everyone in the community to participate.

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 2, 2015 in the Council Chambers at City Hall.

Crystal Shoji, Mayor

Attest: _____
Susanne Baker, City Recorder