

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

December 15, 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 Mark Daily, Jennifer Groth, Stephanie Kramer, Thomas Leahy, and Mike Vaughan. Councilor Fred Brick was absent. 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, Wastewater Project Engineer Jennifer Wirsing, Community Development Director Eric Day, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

Flag Salute

Mayor Shoji opened the meeting and led the Council and assembly in the salute to the flag.

Public Comments

Ken Folker, Coos Bay: thanked Police, Fire, EMS, and Veterans for their service to the Country and community.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of December 1, 2015; 3b: acceptance of the November 2015 accounts payable and payroll check registers; 3c: acceptance of the November combined cash report; 3d: approval of a Coos County Library Service District (CCLSD) Ready to Read grant; 3e: approval of a Pacific Connector Community grant; 3f: ratification of Joe Monahan's re-appointment to the Visitor & Convention Bureau (VCB) Board as the hotel industry representative, and 3g: approval of Pam de Jong's appointment VCB Board as the Bay Area Chamber of Commerce representative. Councilor Groth moved to approve the consent calendar approving the minutes of December 1, 2015, accepting the November 2015 accounts payable and payroll check registers, accepting the November combined cash report, approving the Coos County Library Service District (CCLSD) Ready to Read grant, approving a Pacific Connector Community grant, ratifying Joe Monahan's re-appointment to the VCB Board as the hotel industry representative, and approving Pam de Jong's appointment VCB Board as the Bay Area Chamber of Commerce representative. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Brick was absent.

New Council Business

Councilor Daily noted City of Bandon had a live holiday tree; suggested the City look into planting a live holiday tree. Councilor Kramer asked for a trash bin to be placed at the bus stop at the corner of Empire Boulevard and Newmark.

City Council Minutes – December 15, 2015

Consideration of Appointments to the Planning Commission

City Manager Rodger Craddock provided a brief history on the Planning Commission Board openings; noted applications were received from Christine Coles, Philip Marler, and Rex Miller requesting consideration for re-appointment. Councilor Groth moved to re-appoint Christine Coles, Philip Marler, and Rex Miller to the Planning Commission Board for four-year terms ending December 31, 2019. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Brick was absent.

Consideration of Approval of Steve Auer's Sewer Recovery Agreement Extension

Finance Director Susanne Baker stated in 2005, contractor Steve Auer entered into a sewer recovery agreement with the City of Coos Bay for a main sewer line he installed through several blocks in the southern portion of Empire near Fulton Avenue. The agreement was due to expire in January 2016. On December 8, 2015 per Section 8 of the agreement Mr. Auer submitted a request for an extension of the agreement. Mr. Auer estimated approximately 60% of the lots were unsold/undeveloped. Ms. Baker noted with Council approval, the contract could only be extended one time and for a period of ten years in order to further allow the contractor time recoup expenses from benefitted properties upon development. Councilor Daily asked what happened when the contract expired whereby Ms. Baker advised there would be no cost to property owners after the contract expired. City Attorney Nate McClintock advised the Council could consider changing/extending the contract. Councilor Kramer moved to approve the extension of Steve Auer's Recovery Agreement No. 2005-02. Councilor Daily seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Brick was absent.

Approval of a 6th Avenue Emergency Design Contract

Wastewater Project Engineer Jennifer Wirsing stated there was an existing wood box culvert located under 6th Avenue approximately 300 feet south of F Street in Eastside. The culvert conveyed flows from an existing drainage ditch to the slough. During a scheduled video investigation, the City's sewer collection crew observed a sinkhole located on the east embankment which was caused by a failure within the top portion of the culvert. An emergency repair was performed. Material was removed, a steel plate was installed along the top of the box culvert for reinforcement, and rip rap was placed along the embankment for stabilization.

Ms. Wirsing stated the temporary repair was performed by Knife River and approved (after the fact) by City Council on December 1, 2015. The timely repair minimized further damage from occurring to 6th Avenue and potentially prevented damage occurring to the existing utilities thus preventing the City from incurring additional repair costs. Ms. Wirsing advised a permanent solution was necessary and needed to be designed, permitted, and constructed; noted existing culvert was beyond its useful life. In accordance with Section 20(b)(1) and 20(c) of the City's contracting rules, Ms. Wirsing reviewed the conditions which necessitated the prompt execution of the design contract: The Oregon Department of Fish and Wildlife (ODFW) guidelines for timing of in-water work; from October 1st to February 15th. Ms. Wirsing stated it was not possible to design, bid, and construct the project by February 15, 2016. The City proposed

City Council Minutes – December 15, 2015

completing the design, obtaining the regulatory permits, and bidding the project for the next in-water work period: October 1, 2016 through February 15, 2017.

Staff recommended retaining the services Dyer Partnership for the duration of project since they were already familiar with the project having assisted with the emergency repair and they had available resources to complete the design and environmental permitting. Ms. Wirsing noted the main entrance to and from Eastside was 6th Avenue. If culvert were to fail, truck traffic would be significantly impacted and if the McCullough Bridge were closed at the same time, it would significantly hinder access to and from Eastside. Failure of the culvert could also cause flooding damage to the upstream properties as well as exiting utilities. In order to be ready to mobilize a contractor by October 1, 2016 design, permit approvals, bidding, and contractor award must be completed by summer 2016. Due to the size and complexity of the project, the contractor would likely need 60-90 days lead time to order materials for the project. Preliminary estimated cost to repair was \$670,000 in addition to the \$96,767 (\$87,970 plus 10% contingency of \$8,797) contract to Dyer Partnership for civil, geotechnical, and structural design. Ms. Wirsing advised the culvert was listed for replacement on the stormwater masterplan.

Councilor Daily questioned why the project was not put out to bid for the design phase. City Manager Rodger Craddock stated Dyer Partnership was the City's Engineer of Record and noted they were already familiar with the project. Ms. Wirsing noted the project was time sensitive and estimated it would take 60-90 days to complete a request for proposal process. Councilor Groth inquired about funding the full cost of construction. City Manager Craddock advised a portion of project would be funded out fiscal year 2016 and 2017 emergency funds and proposed other projects budgeted in the Wastewater Construction fund would be reprioritized. Councilor Vaughan moved to approve the award of contract to the Dyer Partnership for permitting and design services for the 6th Avenue emergency culvert replacement project for a cost not to exceed \$96,767. Mayor Shoji seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Brick was absent.

South Coast Development Council Update and Request for Consideration to Support Designation of Certain Industrial Lands a Regionally Significant Industrial Area – Support Would Require Adoption Resolution 15-21

South Coast Development Council's (SCDC) Executive Director Connie Stopher requested the Council to consider adopting a resolution in effort to urge the State to designate a parcel of land owned by Sause Brothers, Inc. (located in Eastside) as a Regionally Significant Industrial Area (RSIA). Ms. Stopher introduced Nate Clausen, representative on behalf of Sause Brothers, Inc. and noted a RSIA designation would provide an alternative route to fast-tracked state permitting for the land owner and/or future developers and could provide an advantage to the City and/or developer in competing for state infrastructure funding for projects which support development at the designated site. Duration of the RSIA designation was 10 years and limited the City's ability to make some land use changes within the area. SCDC hoped to submit the application by end of year to meet submission deadlines. Resolutions of support were also being sought from the Coos County Commissioners, City of Reedsport, City of North Bend, Oregon International Port of Coos Bay, and Douglas County. Councilor Groth inquired as to the current zoning of the proposed property whereby City Manager Rodger Craddock advised the property was zone industrial. Councilor Groth inquired if the Planning Commission should be included in

City Council Minutes – December 15, 2015

the decision making process. City Manager Craddock stated the matter was brought before the Council due to limited time to complete the application process.

Councilor Leahy exited the meeting at 7:28 p.m. and returned at 7:32 p.m.

Mr. Stopher stated there were six other areas in the state that were already RSIA designated; noted there was another certification called Certified Decision Ready Sites; SCDC hoped to work with other property owners in the future to get more sites certified. Mr. Clausen stated main advantage for Sause Brothers was the designation/program would help channel government funds to assist in developing infrastructure. Councilor Vaughan inquired why the matter was before the Council. Ms. Stopher stated if approved the industrial zoning designation could not be changed for 10 years and noted community support was an important part of the application process. Councilor Groth moved to adopt Resolution 15-21 requesting the Economic Recovery Review Council to designate Tax Lot 400 as a regionally significant industrial area. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Brick was absent.

Ms. Stopher provided the Council with a brief update on SCDC activity which included: meetings with the Oregon Department of Agriculture and Oregon State University (OSU) Food Innovation Center who were looking to bring more resources to growers and food processors in the area; a 2016 family relocation program to assist local businesses with recruitment and reducing the unemployment rate; noted SCDC assisted two business in relocating to Coos Bay: Guild Mortgage and Yak Social.

City Attorney's Report

No comments were given.

City Manager's Report

City Manager Rodger Craddock noted thanks to Public Works and Public Safety staff during the recent inclement weather; provided Council with fiscal year 2017 budget calendar; proposed a January 19, 2016 work session meeting to work on goal setting.

Council Comments

Councilor Vaughan stated Egyptian Theater success transferred over to the Liberty Theater; noted they were 1/3 of the way to meeting their fund raising goal. Councilor Leahy announced the Coos Bay Boat Building Center would be holding their second annual Santa's Workshop on Saturday, December 19th from 10 a.m. to 1 p.m.; students would learn how to build a Kon Tiki boat. Councilor Daily highlighted the Coos Historical Railway Museum's holiday light display. Councilor Kramer expressed thanks to City staff for fixing the star on top of the Empire Christmas tree.

City Council Minutes – December 15, 2015

Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for January 5, 2016 in the Council Chambers at City Hall.

Crystal Shoji, Mayor

Attest: _____
Susanne Baker, City Recorder