

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

August 2, 2016

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 were present. Councilor Fred Brick was absent. City staff present were City Manager Rodger Craddock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Library Director Sami Pierson, Community Development Director Eric Day, Public Works Director Jim Hossley, Fire Battalion Chief Dan Crutchfield, and Police Chief Gary McCullough.

### **Flag Salute**

Mayor Shoji opened the meeting and asked Philip Marler to lead the Council and assembly in the salute to the flag.

### **Public Comments**

Jeff McKeown, Coos Bay: noted additional stress on police departments around the country due to several police-related-tragedies over the past few months; stated as former Mayor of Coos Bay he had several occasions to work closely with the Coos Bay Police Department; commended Coos Bay police officers, dispatchers, and administrative staff for their professionalism and care for Coos Bay citizens.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of July 19, 2016, and; 3b: approval of an Oregon Liquor License (OLCC) new outlet off-premise sales license application for Coos Head Health Food Co-op. Councilor Groth moved to approve the consent calendar approving the minutes of July 19, 2016, accepting an OLCC new outlet off-premise sales license application for Coos Head Health Food Co-op. 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**

No new council business was presented.

### **Retirement of Police K-9 Tron**

Police Captain Chris Chapanar stated K-9 Tron began his career as a patrol K-9 with the City of Coos Bay Police Department in August 2012. K-9 Tron retired from police work in April 2016 after a very successful career of service to our community; career accomplishments included being deployed over 80 times and assisting to locate over 27 suspects. On behalf of the Coos Bay Police Association, Captain Chapanar presented Sergeant Sean Merritt with a service plaque in

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honor of K-9 Tron's contributions to the Coos Bay Police Department and community. It was noted K-9 Tron would spend his retirement relaxing at Sergeant Merritt's home as a member of the Merritt family.

Councilor Vaughan stated a concert and potluck would be held on September 13, 2016 at the North Bend Community Center in support of first responders.

### **Proposed Expansion of the Urban Renewal Boundary**

Community Development Director Eric Day stated Jerry Reeves, President of J.C. Reeves Corporation recently sent a letter to the City requesting preliminary approval from the City Council to expand Coos Bay's urban growth boundary (UGB) to encompass approximately 400 acres in the Englewood area. Mr. Reeves also requested the property be annexed into Coos Bay city limits of Coos Bay. City Manager Craddock advised the Council on the application requirements which included a submitting a quasi-judicial application. The process required review and approval from the City Council, Coos County Board of County Commission (BOCC), and Department of Land Conservation and Development (DLCD); expansion over 50 acres also required approval from the Land Conservation and Development Commission (LCDC). Mr. Day noted this was a long, complicated process and would be costly to the applicant, required a considerable amount of staff time, and would likely take several years to complete; no council-action was required at present time.

Mayor Shoji stated the proposal would constitute a major change to the City's comprehensive plan in addition to cooperation with Coos County to update the urban boundary and growth management agreement. Jerry Reeves stated he was a residential home builder and structural engineer; had been in business since 1982 and had built over 1,000 homes. Mayor Shoji inquired if additional property owners needed to be involved in the process; questioned if the need for development could be substantiated. Mr. Reeves estimated a 10-year phased process to fully build out the development. Councilor Vaughan questioned the location of proposed entry way for the development whereby Mr. Reeves advised California Street. Mr. Day stated City could only annex out of UGB to city limits. Mr. Day noted Coos Bay city limits was also the city's UGB, normally the UGB would be larger than the city limits and signified the City's 20-year growth plan; plan would typically be reviewed every 5-10 years. Mr. Day stated property could only be annexed from the UGB. Councilor Groth questioned how the phased approach demonstrated need. Mr. Day suggested the entire 400 acres would be added to the UGB and then later annexed and developed in a phased approach based on need. Mr. Day stated the City was required by state law to use Portland State University's (PSU) 20-year population forecast to evidence growth/need; noted Coos Bay's estimated population growth was flat. David Petrie, Coos Bay: questioned if the PSU demographic study projected growth addressed the anticipated Cascadia earthquake and expected 3-meter subduction. Mr. Day stated he did not think the matter was considered.

### **Presentation on the Proposed**

City Manager Rodger Craddock stated Coos County was fortunate to have numerous museums which were important to the health, education, and economy of the local community; noted all the museums were operated by independent non-profit organizations and all faced the same challenge of steady operating revenue. In light of the matter, a number of concerned citizens formed an "ad hoc" committee in effort to establish a County Historical Fund (CHF). CHF's were

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allowed and regulated under Oregon Revised Statute (ORS) 358.17 and operated as a taxing district similar to the countywide Library District.

Joe Slack of HGE Architecture, Inc. and member of the Coos Historical Fund Ad Hoc Committee stated formation of the CHF required a vote of the people and would be on the upcoming general election ballot in November. If approved, eight Coos County museums would be funded by a continuing levy at a rate of 10 cents per thousand dollars of assessed valuation of properties within Coos County. County Commissioners would appoint a five-person board to administer the funds. Mr. Slack stated, if the CHF was approved by voters, all eight history museums would offer free admission to Coos County residents. Mr. Slack stated all eight museums passed resolutions in support of forming the proposed taxing district. Funding would help provide core support for each museum; noted all museums except Coos History Museum were staffed on a volunteer basis. Councilor Daily inquired if there was a process to add other museums whereby Mr. Slack stated yes. Mr. Slack stated per the Coos County Assessor the proposed district would have little to no impact on property tax compression.

### **Approval of After-the-Fact Emergency Sanitary Sewer Repair for North 8<sup>th</sup> Street**

Public Works Director Jim Hossley during the summer of 2014, the City's sewer collections crew performed a video investigation for the portion of sanitary sewer along N. 8th Street between 7th and 8th Terrace and determined approximately 225 feet of pipe had significant deficiencies. The repair was deemed an emergency; because the entire segment of pipe needed replaced (due to the significant deficiencies identified), detailed plans and specifications had to be prepared. The City contracted with HGE Inc. to prepare the plans and specifications. The design for this project was completed in fall of 2014; however, bids for the project were not requested due to budgetary constraints and other higher priority emergency projects that emerged at the time.

In July 2016, a sinkhole was reported along N. 8<sup>th</sup> Street. After investigation, it was determined the sinkhole was in the vicinity of the plans and specification prepared by HGE in 2014. Due to the severity of the sinkhole, the project's priority had increased. HGE prepared an estimate and anticipated the project would cost the approximately \$111,375 to repair. Bids were anticipated to be opened next week. Due to the emergency nature of the project, staff requested approval for construction based on the Engineer's estimate, prior to bids being received. Staff also recommended including a 15% contingency of \$16,706 increasing the total amount to \$128,081. Councilor Groth moved to award the emergency construction of the N. 8<sup>th</sup> Street sanitary sewer between 7<sup>th</sup> and 8<sup>th</sup> Terrace for an amount not to exceed \$128,081. Councilor Vaughan seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Brick was absent.

### **Consideration for Approval of Night Time Work on the Empire Boulevard Piping Project Associated with Wastewater Treatment Plant No. 2**

Public Works Director Jim Hossley stated the City of Coos Bay's Municipal Code Chapter 9.20 Offenses Against Public Peace regulated unreasonable noise to occur between the hours of 7:00 a.m. and 6:00 p.m. except in case of urgent necessity in the interest of the public welfare and safety, and then only with a permit issued by the City. Mr. Hossley stated piping work was required along Empire Boulevard (from Pacific to Fulton Avenues) for the construction of Wastewater Treatment Plant No. 2 (WWTP#2); noted during the piping project, diesel pumps

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would run 24-hours a day to convey sewage around the work area and traffic would be reduced to one lane. As such, staff recommend allowing the contractor to work nights on Empire Boulevard beginning late September; 24-hour days in three shifts to install the pipe cross connecting the new wastewater treatment plant site to the existing site. Night work would reduce the impact on daytime traffic. Continuous shifts would also save time by not having to cap the pipe and backfill at the end of each shift; estimated the pipe could be replaced in three to five days rather than two to three weeks. Councilor Kramer inquired how staff would insure the work was completed within the requested timeframe. Jan Kerbo, Resident Project Representative, stated the contractor could not exceed the amount of time authorized by Council; staff thought the project could be completed in three days but added an extra two days to be conservative. Ms. Kerbo stated she would be the city representative onsite to oversee the project.

Robert Cribbens, Coos Bay: stated he wished to speak on previously discussed agenda items; stated he lived near the N. 8<sup>th</sup> emergency sewer repair and noted the area had ongoing sewer problems for the past 10-years; stated he was not sure it was prudent for the cosmopolitan area/Portland State University to consistently estimate Coos Bay growth as flat, felt it set an unfavorable precedent.

Councilor Groth moved to approve the night work for the piping along Empire Boulevard for WWTP#2 site starting late September, working in 24 hour shifts for a total not to exceed five days. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Daily, Groth, Kramer, Leahy, and Vaughan voting aye. Councilor Brick was absent.

### **City Attorney's Report**

City Attorney Nate McClintock was absent.

### **City Manager's Report**

City Manager Rodger Craddock provided the Council with a copy of a letter from Oregon Department of Environmental Quality (DEQ) advising the City's request to extend the Mutual Agreement and Order (MAO) No. WQ/M-WR-03-022 for wastewater treatment plant no. 2 (WWTP#2) was approved. DEQ extended the timeline to begin site preparation work, including mobilization and utilities for WWTP#2, and completion of Empire Boulevard pipe crossing project by no later than November 23, 2016; noted DEQ did not approve any changes to the final June 16, 2018 deadline for the new WWTP#2 to be fully operational.

### **Council Comments**

Mayor Shoji invited Police Chief Gary McCullough to speak about the National Night Out event held earlier in the evening at Ferry Road Park in North Bend and Eastside Park in Coos Bay. Chief McCullough stated the cities of Coos Bay and North Bend collaborated each year to bring attention to the national event. The primary purpose of National Night Out was to bring awareness to crime prevention, generate support and participation for local anti-crime programs, and strengthen neighborhood spirit and police-community partnerships. Councilor Leahy reported the contract was signed for the Tall Ship event which was scheduled for June 1-4, 2017; Coos Bay Boat Building Center was partnering with the Coquille Carousel and would be offering rosette relief carving classes at the Boat Building Center over the next three Saturdays. Councilor Daily

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noted multiple events this past weekend: Coos County Fair, Cape Blanco County Music Festival, Oregon Coast Music Festival, and Dunes Festival. Councilor Groth stated the Oregon State Attorney General would be at Coos Bay Public Library on Monday, August 8<sup>th</sup> from 3:00-4:30 to hold a session on “Consumer Office Hours” to address consumer protection issues. Mayor Shoji announced Coos Rail Line would be celebrating their centennial event in Coos Bay on Saturday, August 6<sup>th</sup>.

### Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for August 16, 2016 in the Council Chambers at City Hall.

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Crystal Shoji, Mayor

Attest: \_\_\_\_\_  
Susanne Baker, City Recorder