

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 6, 2017

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 Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Jennifer Groth, Stephanie Kilmer, and Stephanie Kramer. Councilor Phil Marler was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, and Police Sergeant Mike Shaffer.

### **Flag Salute**

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

### **Public Comments**

Calvin Strinz, Coos Bay: stated he attended the last Council meeting and expressed concern about his neighbors located at 535 7<sup>th</sup> Avenue; thanked City Manager Rodger Craddock and Police Chief Gary McCullough for speaking with his neighbor; noted since last Council meeting the car situation had improved slightly. However, cars were now being parked in front of his mailbox and mail was not being delivered on regular basis. Mr. Strinz asserted possible drug traffic due to high level of cars coming and going from the house; also noted he believed his neighbor was burning copper wire.

Ken Folker, Coos Bay: Provided the Council with information Grants Pass Art Along the Rogue event.

Ray Doering, Coos Bay: stated he was speaking on behalf of and in his capacity as Director of Communications for the Coquille Economic Development Corporation (CEDCO) which was the parent company of the Mill Casino, Hotel, and RV Park. Mr. Doering noted the Festival of Sails event was held last weekend at the Mill Casino property and after reviewing comments from visitors to the event and regular guests, CEDCO determined it would not donate its properties or facilities to future Festival of Sail events. Visitor comments suggested the management company managing the event failed to meet basic standards of guest service, standards which were very important to the Mill and its daily interactions with its guests. The visitor concerns came on top of contractual issues with the organizers that persisted up to the day of the first ships arrival. Although the Mill merely provided the location and did not plan or manage the event, repercussions and visitor dissatisfaction resulting from the event were directed at the Mill. There was confusion over parking and complaints about cost and accessibility, visitors made their concerns known to the Mill's employees and their social media outlets. Mill employees did their best to mitigate issues as they arose but could not take responsibility for managing the event. Mr. Doering noted the issues with the event were with the management company and not with ships or their crews. The Mill would continue to welcome the ships and members from their crews whenever they visited the community.

Joe Monahan, Coos Bay: stated he was the Chair of Coos Bay – North Bend Visitor Convention Bureau (VCB); expressed his thanks to everyone in the community who stepped up and tried to make the Festival of Sails event a success; noted a lot of time, money, and energy was put into the event and the community did not see the return that was implied; local hotels saw an 11% drop in occupancy sales during the Festival of Sails event weekend over the prior year. Mr. Monahan stated it was his understanding the event promoter did not advertise the event in Oregon; VCB did advertise via TV, newspaper, and Facebook.

Mayor Benetti stated he also received comments from local business that were upset. City Manager Rodger Craddock noted the Festival of Sail event was different than the Tall Ship visits from the Lady Washington and Hawaiian Chieftan. Councilor DiNovo stated she was disappointed with the attendance and the fact the City of Coos Bay donated \$20,000 and the community raised over \$130,000 for an event that was supposed to generate 80,000 people; noted a bright spot of the event was the exceptional job done by the ships crews. Councilor Kramer stated the Boat Building Center also expressed their frustration and disappointment with the Festival of Sails event.

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of 3a: approval of the minutes of May 9, 16, and 23, 2017; 3b: adoption of resolution 17-09 extending workers' compensation coverage to city volunteers; 3c: adoption of resolution 17-10 authorized interfund loan borrowing and loans, and; 3d: approval of Oregon Liquor Control Commission (OLCC) annual license renewals for 7-Eleven Store #2363-17090C, Bassett Hyland Energy, Bi-Mart Store #668, Black Market Gourmet LLC, Blue Heron Bistro, Blue Moon Saloon and Café, Coos Bay Grocery Outlet, Elks Lodge #1160, Englewood Market, EZ Thai Restaurant, Gooney's Sports Bar, Kum Yon's Restaurant, Margarita's Mexican Grill, McKay's Markets #1 and 2, O'Bradi, and Puerto Vallarta Restaurant. Councilor Groth moved to approve the consent calendar as presented. Councilor Kramer seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

### **Report by Marshfield High School Key Club**

Marshfield High School (MHS) Key Club representatives Maireni Santana and Mixtli Rodriguez summarized upcoming Key Club activities, shared achievements by various MHS clubs and athletic teams. It was noted Ms. Santana and Ms. Rodriguez were both seniors at MHS; senior graduation was scheduled for June 10, 2017.

### **Approval of an Annual Oregon Liquor Control Commission License for Benetti's Italian Restaurant**

Mayor Benetti recused himself from the discussion declaring a conflict of interest stating he was the owner of Benetti's Italian Restaurant. Councilor Groth moved to approve the annual OLCC license renewals for Benetti's Italian Restaurant. Councilor DiNovo seconded the motion which carried with Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent. Mayor Benetti having abstained from the vote was deemed pursuant to the

provisions of 2.8.4 of the Rules of the City Council to have voted with the majority which approved the motion.

**Public Hearing on the Use of Revenue Sharing Funds – Approval to Accept the Funds Would Require Adoption of Resolution 17-11**

Finance Director Susanne Baker provided a brief history on the State Revenue Sharing Funds program. Ms. Baker stated as a requirement of state revenue sharing funds program, a public hearing was held before the Budget Committee on April 13, 2017. In accordance with ORS 221.770, a public hearing was also required to be held before the City Council for the purpose of taking public input on the use of State Revenue Sharing funds. Approval of the proposed resolution would provide notice to the State of the City's intent to participate in the State Revenue Sharing program. Mayor Benetti opened the public hearing. No comments were made and the hearing was closed. Councilor Farmer moved to adopt resolution 17-11 accepting state revenue sharing funds. Councilor Kilmer seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Public Hearing on the Approved Budget for Fiscal Year 2017/2018 – Approval of Resolution 17-12 Would Adopt the Budget, Make Appropriations, and Levy Ad Valorem Taxes**

Finance Director Susanne Baker stated the proposed budget for fiscal year 2017/2018 was reviewed on April 13, 2017 by the Coos Bay Budget Committee and was approved to be forward to the Coos Bay City Council for adoption. Mayor Benetti opened the public hearing. No comments were made and the hearing was closed. Councilor Kilmer moved to adopt Resolution 17-12 for the fiscal year 2017/2018 budget. Councilor Kramer seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Public Hearing to Consider Approval of a Supplemental Budget – Approval Would Require Adoption of Resolution 17-13**

Finance Director Susanne Baker stated a supplemental budget was necessary to appropriate funds for the General fund from contingency to operations to offset unanticipated expenses due to attrition and retirement's city wide as well as overtime in the Dispatch and Police operations. The appropriation would also offset the change in aggregating all General Fund telephone services together, moving to a new phone system, higher electrical utility costs, and upgrading fiber connectivity to work towards technology redundancy. The supplemental budget also authorized additional transfer appropriations from the General, State Gas Tax, and Street Improvement funds in anticipation of receiving more revenue than budgeted for the Pacific Power and Light franchise fees and would allow for the funds to be transferred for capital expenditure. Mayor Benetti opened the public hearing. No comments were made and the hearing was closed. Councilor Groth moved to adopt Resolution 17-13 to appropriate funds in the General, State Gas Tax, 9-1-1, and Street Improvement funds. Councilor DiNovo seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Consideration to Approve Adjustment of City Fees – Approval Would Require Adoption of Resolution 17-08**

Finance Director Susanne Baker stated the proposed change to the city fee resolution would increase the cost to process new, special events, and annual renewal applications for Oregon Liquor License (OLCC) permits from \$25 to \$50 to more accurately reflect the time spent by staff to complete records/background checks as part of the approval process. Ms. Baker noted no other fees were changed. Councilor DiNovo moved to adopt Resolution 17-08 adjusting City fees. Councilor Groth seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Consideration to Approve Posting of No Parking on One Side of 20<sup>th</sup> Street**

Public Works and Community Development Director Jim Hossley stated 20<sup>th</sup> Street was located in the Englewood community off of California Avenue; it was 18 feet wide which did not allow for curbside parking on both sides of the street. Mr. Hossley noted the street was not currently marked “No Parking”; there were mailboxes on the west side of the street and nothing on the east side of the road. Neighborhood residents requested installation “No Parking” signs on the east side of 20<sup>th</sup> Street.

Councilor Kilmer moved to approve a “No Parking” zone along the east side of 20<sup>th</sup> Street south of California Avenue and to authorize staff to install applicable “No Parking” signs along 20<sup>th</sup> Street. Councilor DiNovo seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Consideration to Approve Contract Addendum to CH2M for the Operations, Maintenance, and Management of the Wastewater Systems for Fiscal Year Ending 2017**

Public Works and Community Development Director Jim Hossley stated in 2015 the City advertised a request for qualifications for operations, maintenance, and management of the wastewater system. Two qualifications were received (CH2M and Veolia) and on March 1, 2016, City Council directed staff to negotiate a ten-year contract with CH2M. The original contract was set to expire June 30, 2016. Prior to the contract expiring, the Council explored privatization of the wastewater system and the negotiations were put on hold. In 2017 the Council decided to not pursue privatization and negotiations resumed. Mr. Hossley stated the amendment for operations, maintenance, and management services for the wastewater system needed to be executed for the period of July 1, 2016 through June 30, 2017. Mr. Hossley provided the Council with a draft copy of the amendment and noted there were no changes or cost increases from the last amendment. Staff was in the process of finalizing the negotiations for a new 10-year contract and planned to present the contract the Council at the June 13, 2017 work session.

Councilor Farmer moved to approve contract amendment #5 for operations, maintenance, and management of the wastewater system with CH2M for fiscal year ending June 30, 2017. Councilor Groth seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Consideration to Approve Contracting Rules Revision – Approval Would Require Adoption of Resolution 17-14**

Public Works and Community Development Director Jim Hossley stated the City's local public contracting rules had not been substantially revised in a decade. Over the last decade the State of Oregon revised purchasing and contracting thresholds in an effort to be efficient and address changing needs. Staff proposed to revise the local public contracting rules to provide better utilization of both staff and the Council's time. The revisions mostly increased the dollar amount limits for authorization, which were less than those promulgated through the State Attorney General's Model Public Contracting Rules. Councilor DiNovo clarified anything above \$75,000 would require Council approval and anything less than \$75,000 the City Manager or staff based on their approval authority could approve whereby City Manager Rodger Craddock affirmed. Councilor DiNovo moved to adopt Resolution 17-14 to revise the local public contracting rules. Councilor Kilmer seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Approval of a Transportation Growth Management Plan Grant Application for Front Street**

Public Works and Community Development Director Jim Hossley stated future development of the Central Dock property and potential re-development of other properties along Front Street would likely trigger the need for transportation infrastructure improvements. A grant through the Oregon Department of Transportation (ODOT) Transportation Growth Management (TGM) Program could help fund planning for future transportation improvements. By preparing a plan in advance, the City would be equipped to address future transportation needs as Front Street redeveloped. The plan would also qualify the City to apply for grant funding to help construct improvements. Mr. Hossley noted the TMG grant application would be prepared by Resource Consultants for a cost of \$1,500. Councilor Kramer moved approve submittal of an application for an ODOT TMG program grant to plan for future transportation improvements in the vicinity of Front Street. Councilor DiNovo seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

**Consideration of an Agreement for Providing Public Safety Services to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians**

City Manager Rodger Craddock stated The City of Coos Bay (City) provided public safety services (police and fire) to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians (the Tribe) at properties under their control; noted the properties no longer on the tax rolls since the opening of their Three Rivers Casino in May 2015. The City and the Tribe negotiated a fee for the services rendered; and the Tribe paid for the first year (fiscal year (FY) 2015/16) of service and they were in the process of paying for the second year (FY 2016/17) of service. A formalized intergovernmental agreement (IGA) was drafted and was approved by the Tribal Council, and now required the City Council's approval prior to signing the agreement. Councilor DiNovo moved to authorize the City Manager to sign the IGA to provide public safety services and for compensation of services rendered from the Confederated Tribes of Coos Lower Umpqua and Siuslaw Indians. Councilor Kilmer seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, and Kramer voting aye. Councilor Marler was absent.

### **City Attorney Report**

No comments were given.

### **City Manager Report**

City Manager Rodger Craddock stated the City engaged professional services of Anna Chavez to assist the City with public outreach to include social media updates and publishing the Friday Update; noted an artist was preparing concept drawings for Pedway; hoping to have the Prefontaine mural project completed by end of August. Mingus Park Pool project only received one bid which was over the Engineer's estimates. In effort to save costs, City Operations Administrator Randy Dixon would act as general contractor; Mr. Dixon was a licensed contractor and had extensive experience constructing and maintaining pools. South Empire Boulevard project would be completed by end of July; noted Council would have to address change orders for project which were related to the delays on decision making for the wastewater project.

### **Council Comments**

Councilor Kramer noted the Clamboree and Glass Art Festival would be held in Empire this Saturday from 10 a.m. to 6 p.m.; expressed concern about the appearance of the bump out's in Empire. Councilor Groth noted Bruce Bennett had term limited out of his position on the Library Board and questioned if Council was okay with Mr. Bennett continuing to serve on the library steering committee due to his historic knowledge of the library and previous experience with other library construction projects; no Council objections to the matter was noted. During the last library steering committee meeting concerns were expressed as to the how long it would take to build a new library and the need to maintenance the existing library building; looking at five-year horizon for new building; staff would look to address the roof issue and possibly painting the exterior of the building; group for the steering committee working on site selection for the new building; site factors were to keep the location in downtown and being outside the tsunami inundation zone. Councilor DiNovo noted the Brownfields Advisory Committee would be holding an open house and public presentation of the draft plan for the Front Street Master Plan on June 8, 2017 from 5:30-7:30 p.m. at the Coos History Museum. Councilor Kilmer encouraged everyone to attend the Clamboree and Glass Art Festival this coming weekend. Mayor Benetti questioned if there was a way to offset the costs to the City for officers to respond to certain business (Walmart; over 600 times a year). City Manager Rodger Craddock stated he would look into the matter but noted public safety services required for Walmart was a nationwide issue.

### **Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for June 20, 2017 in the Council Chambers at City Hall.

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Joe Benetti, Mayor

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