

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**July 11, 2017**

The minutes of the proceedings of a City Council and Urban Renewal Agency work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 p.m. in the meeting room at the Coos Bay Library, 525 Anderson Avenue, Coos Bay, Oregon.

### **Those Attending**

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Jennifer Groth, Stephanie Kilmer, Stephanie Kramer, and Phil Marler. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Public Works and Community Development Director Jim Hossley, Library Director Samantha Pierson, Wastewater Project Engineer Jennifer Wirsing, Operations Administrator Randy Dixon, Police Captain Cal Mitts, and Police Chief Gary McCullough.

Mayor Benetti opened the meeting and stated the purpose of the meeting was for an informal review of the upcoming July 18, 2017 agenda.

### **Award of Construction Contract for Golden Avenue Enhancement**

Public Works and Community Development Director Jim Hossley stated Golden Avenue between 4th and 7th Streets exceeded the service life and was showing signs of failure. The project went to bid in June with a bid date of July 11<sup>th</sup> which was extended to July 18<sup>th</sup> to provide the bidders more time in an effort to receive favorable bids.

### **Consideration of Implementing a Fats, Oil, and Grease (FOG) Ordinance**

Public Works and Community Development Director Jim Hossley stated the City had little control on what was discharged to the treatment plants by wastewater users. A variety of pollutants such as cleaning, personal care products, Fats, Oil & Grease (FOG), petroleum compounds, and other materials toxic to fisheries and other aquatic life that impacted the collection system were routinely discharged to through sinks and drains. A focus on pollution prevention activities and Best Management Practices (BMP's) were the most environmentally sound and cost effective ways to reduce these types of discharges. A FOG program would concentrate on restaurants, hospitals, wine and beer breweries, and assisted living facilities. Prior to commencing a FOG program the following would be considerations:

Conduct a survey to identify, classify users, and the process which do not have mechanisms in place to control FOG discharge. Implement BMP's for control mechanism through ordinances and seek voluntary compliance. Develop the existing ordinance to be more robust for the legal authority to implement a broad program. Oversight and reporting requirements of a pretreatment program would regulate a self-reporting process through the Department of Environmental Quality requirements. Fair and consistent application of the regulations would be necessary and require staff or a contractor, such as CH2M, to manage the program. Enforcement would be a challenge as would regulation of the program for wastewater sewer users outside of the city limits, the sanitary districts.

Mayor Benetti suggested controlling FOG issues as a requirement of the business license process. Councilor Groth questioned if a program could be implemented in steps. Mr. Hossley

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stated existing ordinances prohibit FOG discharge. Mayor Benetti suggested mirroring the backflow preventer certification process the Coos Bay North Bend Water Board required. Councilor Farmer suggested to start with an education process to solicit voluntary compliance.

### **Approval of Fund Exchange Agreement with Oregon Department of Transportation (ODOT) to Fund the Golden Avenue Enhancement**

Public Works and Community Development Director Jim Hossley stated the State of Oregon disbursed to the City, federal surface transportation program (STP) funds for transportation related projects. The City intended to use the funds for the Golden Avenue reconstruction project as well as the eligible storm and sanitary sewer utility work. To authorize reimbursement of the Golden Avenue reconstruction project, a Fund Exchange Agreement with ODOT would be required. The City's design engineer estimated the total construction cost to be \$706,550 of which \$456,450 was estimated for the non-utility portions of the project.

### **Contract for Library Services 2017-2018**

City Manager Rodger Craddock stated annually the Council approved the Library master plan for governance and operational issues, funding, and powers and responsibilities of the various parties. The master plan would allow for continuance of the library operational structure whereby Coos County collects tax base dollars and distributes to the cities, the Dora Library, and the government organization (currently the City of Coos Bay) to staff and operate the Extended Services Office (ESO). The ESO coordinated cooperative extended services on behalf of the eight public libraries to best serve the needs of the residents. The only change with the amendment this year was the amount distributed to the ESO, an increase of \$30,000.

### **Englewood Dike Discussion with Coos County Commissioner John Sweet**

City Manager Rodger Craddock stated Coos County Commissioner John Sweet was in attendance to discuss the Englewood dike as a result of consensus at the April 25, 2017 work session. Mr. Craddock provided a brief history on the Old Wireless property and Englewood Diking district area noting the area was protected by the Englewood dike which was built in 1856. Over the last few decades the dike had not been adequately maintained and experienced several overtopping events with significant leaks.

Coos County Commissioner Sweet complimented City staff on the work completed to date and was not sure of the State of Oregon's support to develop a boat ramp on the site, where the construction funds would be derived; and stated the County did not have an appetite to move the project forward, it did not pencil out, and the County was not interested. The cost to repair the dike exceeded the value of the land behind the dike. The diking district had not funded nor maintained the dike in the past.

Tom Gallagher stated the funds expended on the dike had been on the Old Wireless Lane section and as a consequence, the rest of the levy had eroded. Additional areas were identified and needed repaired with their funds, \$4,000, before winter. The diking district tax funds were levied this year to raise an additional \$2,800.

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Mr. Dixon provided information on the Oregon Department of Fish and Wildlife and Oregon Parks grants which could be leveraged to possibly fund the repair the Englewood dike. Mayor Benetti stated the Englewood dike was not within the city limits and the City did not have staff available to write, manage, nor funds for the needed repairs. Mayor Benetti suggested the diking district hire a consultant on a contingency fee basis from the grant award to take Mr. Dixon's information to manage the grant and project. Mr. Craddock requested Mr. Dixon to discuss the proposed contracting option with the diking district separately.

Patrick Murphy stated the hydraulics of the slough would require more maintenance in the long run if the area was flooded. Mr. Murphy's wife stated there were other areas which would flood if the dike was breached which would cause excessive damage and environmental concerns.

### **Ninety-Day Progress Report on City Goals**

City Manager Rodger Craddock stated on February 18, 2017, the Council held a work session to discuss priorities for the next two years. The work session was facilitated by consultants from Solid Ground Consulting. Based on a consensus of the Council, priorities were categorized into five areas: wastewater, street maintenance, library facility, economic development, and the City Charter. On March 28, 2017, the Council reviewed the draft goals and the April 4, 2017 meeting consensus was to add deadlines. Mr. Craddock provided an updated list and progress on the goals which are included as an attachment to the agenda.

Councilor Kramer asked if loans could be provided to citizens for those who found it difficult to repair their sewer laterals. Mr. Craddock stated a new trench policy could allow the City to share in the cost of a sewer lateral repair by paying for the road bed and asphalt for a repair.

Councilor Marler stated the Council discussion on the downtown parking district and funding parking lot repairs would be lengthy and suggested it begin. Mr. Craddock stated if State Gas Tax funds were utilized to repair the downtown parking lots, there would be less resources available for street repair. Therefore, a parking assessment funded by those within the downtown parking district should be discussed to fund the downtown parking lot repairs.

### **Marijuana Tax in Support of South Coast Interagency Team (SCINT)**

City Manager Rodger Craddock stated as a result of inadequate resources for local law enforcement agencies to conduct investigations into organized distribution and the trafficking of illegal drugs, the South Coast Interagency Narcotics Team (SCINT) was formed. The team was comprised of loaned officers from local city and tribal police departments, Coos and Curry Sheriff's Offices, and the Oregon State Police (OSP). Funding was initially obtained through forfeiture of seized assets as a result of unlawful drug activity and grant funding.

Seizure laws changed which resulted in less funding, restricted use, and inconsistent award of federal grants. In 2012, the City of Coos Bay assigned Capt. Mitts to serve as the Director of SCINT with the City being reimbursed for the salary costs. With the federal grants not being renewed, SCINT did not have sufficient funds to reimburse the City. With implementation of local and state marijuana tax, there had been discussions with Coos County and SCINT to dedicate 50% of state and local marijuana tax revenues to fund SCINT. Captain Cal Mitts

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explained forfeiture laws, revenue, and expenses of SCINT. Councilor DiNovo suggested seeking a tribal community grant.

### **Other Business**

Mayor Benetti asked the progress on private building maintenance requirements wherein Mr. Craddock stated the sections of the dangerous and substandard building code were being reviewed. Other cities implemented fees to be incurred against property owners for the cost of additional city resources required due to the poorly maintained and abandoned buildings.

Mayor Benetti stated he was contacted by Sara Bright, Kids Hope Center, to conduct a child abuse detection training program for individuals and the Council if there was interest.

Mayor Benetti stated the Washed Ashore exhibit was intriguing and their displays were booked out several years. To purchase a piece of public art for public display from Washed Ashore would cost \$35,000 - \$200,000. Another option was rental which could be displayed in various areas during two months in the fall (monthly cost of \$5,000). Councilor Marler suggested private businesses could fund the public art rental as an advertising venue. Consensus was for the City Manager to pursue options for the rental of public art.

City Manager Rodger Craddock stated he approved Mr. Vaughan's request through the right-of-way use permit process to extend the deadline until the end of July to remove his sculpture near the Central Dock location.

### **Executive Session**

A joint City Council and Urban Renewal Agency executive session was held pursuant to ORS 192.660 (2) (e) for the purpose of discussing real property transactions. No decisions were made.

### **Adjourn**

There being no further items for discussion, Mayor Benetti adjourned the work session. The next regular Council meeting was scheduled for July 18, 2017 in the Council Chambers at City Hall.

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Joe Benetti, Mayor

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

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**July 18, 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, Stephanie Kramer, and Phil Marler. 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 and Community Development Director Jim Hossley, and Police Chief Gary McCullough.

### **Flag Salute**

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

### **Public Comments**

Jen Shafer, Coos Bay: announced the Coos Bay Area Habitat for Humanity 2<sup>nd</sup> Annual Kickball Tournament and silent auction event was scheduled for July 22, 2017 from 10 a.m. to 3 p.m. Event would raise money to support homebuilding and critical home repair programs.

### **Consent Calendar**

Mayor Benetti reviewed the consent calendar which consisted of 3a: approval of the minutes of June 27 and July 5, 2017; 3b: acceptance of the June 2017 accounts payable and payroll check registers; 3c: acceptance of the June combined cash report; 3d: approval of 2017-2018 annual contract between City and Coos County Library Service District, and; 3e: approval of Oregon Liquor Control Commission annual license renewals for Barrels Bar LLC, Sharkbites Seafood Café, and Wal-Mart Super Center. Councilor DiNovo moved to approve the consent calendar as presented. Councilor Marler seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, Kramer, and Marler voting aye.

### **Semi-Annual Report from Downtown Association Main Street Manager EC Knox**

The Downtown Association (DTA) Main Street Manager, Elizabeth-Claire (EC) Knox, provided a PowerPoint presentation recap of 2017 events and projects. Highlights included promotion of the 3A basketball state championship, festival of sail, farmers market, downtown flower baskets, music on the corner, replaced street banners, promoted wine walk, 4<sup>th</sup> of July events; projects included updated wayfinding signs, welcomed several new business in downtown. Ms. Knox noted this was her last report with the DTA and introduced the new DTA Executive Director, Courtney Flathers. Staff and Council expressed their thanks and presented Ms. Knox with a gift for her efforts as the DTA Executive Director.

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### **Award of Contract to Reconstruct Golden Avenue**

Public Works and Community Development Director Jim Hossley stated the Golden Avenue project went out to bid in June. A construction site walk through occurred July 6<sup>th</sup>, it was determined at that time the bid opening for the project should be extended from July 11<sup>th</sup> to July 18<sup>th</sup> in order to procure bids more favorable to the City. Construction was expected to commence in August. Engineers cost estimate for the project was \$789,070. City received two bids: Johnson Rock bid \$1,105,237 and Knife River bid 841,348.75. Knife River was low bid; project cost would be split \$286,573 for utility costs (sewer/storm) and \$554,775.75 for street/sidewalk/curb/retaining; noted there was a total of \$598,836.22 in funds available from the Oregon Department of Transportation Surface Transportation Program (STP). Mr. Hossley noted the bid was over the estimate and staff planned to renegotiate costs as allowed by the City's purchasing and procurement rules. Mayor Benetti asked if the award could be cancelled if negotiations failed wherein City Attorney Nate McClintock stated yes, the sooner the better. Councilor Groth moved to award the bid for construction of the Golden Avenue reconstruction project to Knife River for \$841,348.75 plus a 5% contingency of \$42,070 for total not to exceed \$883,418.75. Councilor DiNovo seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, Kramer, and Marler voting aye.

### **Approval of Fund Exchange Agreement with Oregon Department of Transportation to Fund the Golden Avenue Project**

Public Works and Community Development Director Jim Hossley stated the City intended to use Oregon Department of Transportation (ODOT) STP funds to pay for the Golden Avenue reconstruction project. Mr. Hossley provided the Council with a draft copy of the 2017 Fund Exchange Agreement, Golden Avenue Enhancement document between the City and ODOT and noted the document must be fully executed to authorize reimbursement of eligible project costs. The proposed agreement authorized the City to expend up to \$598,836.22 in STP funds for the Golden Avenue reconstruction project. The State would reimburse the City for all eligible expenses related to the project up to the authorized amount. Any costs beyond the authorized amount would have to be paid using other funds. Councilor Kilmer moved to authorize the City Manager to sign the 2017 Fund Exchange Agreement, Golden Avenue enhancement document between the City and ODOT. Councilor Groth seconded the motion which carried with Mayor Benetti and Councilors DiNovo, Farmer, Groth, Kilmer, Kramer, and Marler voting aye.

### **Approval of Agreement for Co-Locator of Public Safety Dispatch Center**

City Manager Rodger Craddock stated there had been a considerable amount of discussion and effort over the last 30+ years in regards to moving from a multiple dispatch center model to a single countywide public safety dispatch center (center). Over the years, several studies were undertaken, and a few attempts towards a single entity which would serve the collective needs of the community were tried, but all were unsuccessful. City Manager Craddock stated the latest collective (Coos Bay, North Bend, and the County) efforts resumed more than half a year ago and were slowly heading in the right direction. Staff initially hoped when discussions began in late 2016 that a single center could be a reality on or before July 2017. Unfortunately, there were a number of issues which need to be resolved which included coordinating/consolidating three different collective bargaining agreements, modifications to the County's radio system and the building used to house their center.

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One of the desired outcomes of a single center was increased efficiencies in the delivery of services to the public safety agencies in the County and citizens. Additionally, it was expected the cost of providing public safety dispatching services from a single entity would provide a cost savings over the collective cost of providing those services from three separate locations. A large part of the anticipated savings would be realized by a reduction in the necessary personnel to operate a single center.

When staff began discussions with North Bend and the County last year, Coos Bay had an open and unfilled position in the dispatch center. Staff chose not to fill the position since the City was working towards a single center and the position would be eliminated once that was achieved. While work towards the single center progressed, Coos Bay experienced three additional openings in dispatch. In effort to continue providing the necessary services the department transitioned a records specialist to dispatch, and the City temporarily rehired two retired employees. Staff was also in the process of negotiating with the City of North Bend to co-locate their collective dispatch personnel into Coos Bay's center. Collectively, the two cities had ten (10) full-time personnel and could effectively and efficiently provide public safety dispatching services for the two entities; while continuing to work with the County to create a single Center in Coquille.

City Manager Craddock stated Coos Bay had a tentative agreement with the City of North Bend which included the co-location of both cities collective personnel who would work out of Coos Bay's center for a period of not more than one year. During that period, North Bend's personnel would continue to be North Bend employees and would be supervised by a Captain from the North Bend Police Department (NBPD). Coos Bay Police Department Captain Chapanar and NBPD Captain Bennett would work together and jointly oversee the overall operations of the Center. Coos Bay would compensate the City of North Bend an amount equal to the average monthly employment costs for two dispatch positions for each month of joint dispatch operation. The tentative agreement would provide a cost savings to both Coos Bay and North Bend. Council consensus was to authorize staff to move forward to enter into an agreement with the City of North Bend to co-locate public safety dispatching services.

### **Presentation of Semi-Annual Bay Area Chamber of Commerce Activity Report**

Jessica Engelke, President of the Bay Area Chamber of Commerce (BACC), provided information on BACC's various committees and boards. Other updates included information on the Chambers efforts to promote tourism, business development and support group, Chamber operations, membership, and upcoming events. Announced first annual marathon event scheduled for October 7, 2017.

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

City Manager Rodger Craddock explained Coos Bay Municipal Code currently prohibited camping in City Parks without a valid special event permit. The prior development code regulated residential use types and prohibited the occupying (living in) of vehicles unless it was located in an approved RV park. Noted there were various forms of camping occurring inside city limits such as RV's in the Walmart parking lot, people living inside vehicles, tents, and RV's parked at private residences. City Manager Craddock stated city needed to develop a holistic

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camping policy that defined acceptable practice; suggested it unhealthy and unsanitary to have people camping in local parks and living in vehicles.

### **Council Comments**

Councilor Kilmer Marshfield Key Club car wash Umpqua Bank Saturday. Councilor Marler supported consolidation of Coos Bay and North Bend dispatch centers. Councilor DiNovo commended the DTA and BACC for the efforts to improve the community. Councilor Groth noted the City of Eugene would be hosting the 2021 World Outdoor Track & Field Championships and suggested coordinating with those also interested in hopes that Coos Bay would be a training camp city. Councilor Farmer questioned if the anning Commission could look into zoning issues to accommodate zoning issues for tiny homes. Mayor Benetti welcomed Courtney Flathers (new executive director for the Downtown Association) back to the community.

### **Executive Session**

An executive session was held pursuant to ORS 192.660 (2) (e) for the purpose of discussing real property transactions and (2) (h) for consultation with legal counsel concerning legal rights and duties regarding current litigation likely to be filed. No decisions were made.

### **Adjourn**

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for August 1, 2017 in the Council Chambers at City Hall.

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Joe Benetti, Mayor

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