

**MINUTES OF THE PROCEEDINGS OF THE
CITY OF COOS BAY CITY COUNCIL**

July 7, 2009

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 Jeff McKeown and Councilors Mark Daily, Jon Eck, Joanie Johnson, Stephanie Kramer, Gene Melton, and John Pundt. City staff present were City Manager Chuck Freeman, City Attorney Nate McClintock, Deputy Finance Director Susanne Baker, Public Works and Development Director Jim Hossley, City Engineer Carl Nolte, Finance Director Rae Lea Cousens, Fire Chief Stan Gibson, Economic and Community Development Manager Joyce Jansen, Library Director Carol Ventgen, and Police Chief Rodger Craddock.

Flag Salute

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

**Bay Area Chamber of Commerce Agreement for
Management of the Tourist Information Center**

Mayor McKeown added agenda item 1a, the Bay Area Chamber of Commerce (BACC) agreement. Mayor McKeown made a motion to affirm the BACC agreement, appoint a subcommittee to resolve issues to the mutual benefit of the BACC and the City; report back to City Council; and recognize the BACC as a valuable community partner. Councilor Melton seconded the motion. Councilor Daily stated he desires to have a work session to explore the management of the Tourist Information Center (TIC), there was discussion regarding locating an economic development employee in the facility; and stated he is concerned the Tourist Information Center and the Bay Area Chamber of Commerce has a conflict of interest. Councilor Kramer stated this item is a surprise, there are many issues to discuss, staff needs time to develop information, and this is a changing climate. Councilor Johnson agreed to a subcommittee to develop rules for a good working relationship; believes there is a misunderstanding of the expectations of each entity; would like to hear from BACC representatives; stated the BACC has the right to promote active members; and asked Mayor McKeown when this item was placed on the agenda wherein Mayor McKeown stated 4:00 p.m. today as the item developed. Councilor Pundt stated this is a mutually beneficial relationship that should not be jeopardized, supports forming a subcommittee, and supports honoring the 90-day timeframe. Mayor McKeown amended the motion to include honoring the 90-day timeframe. Councilor Melton seconded the motion as amended which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Consent Calendar

Mayor McKeown reviewed the consent calendar which consisted of approval of the minutes of June 16, 2009; approval of annual OLCC license renewals for El Sombrero, Empire Café, O'Bradi, Oregon Wine Cellars, Outdoor In, Sharkbites, Walt's Pourhouse; acknowledgement of receipt of the check registers for June 2009; and approval to accept a \$16,000 Coastal

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Management grant. Councilor Melton moved to approve the consent calendar. Councilor Eck seconded the motion which carried with Mayor McKeown and Councilors Eck, Johnson, Kramer, Melton, and Pundt voting aye. Councilor Daily abstained from the vote. Councilor Daily having abstained from the vote is deemed, pursuant to the provisions of 4.7.4 of the Rules of the City Council, to have voted with the majority, which approved the motion.

Presentation of Appreciation of Service Award to Jeanette Owens

Mayor McKeown presented Library Director Carol Ventgen on behalf of Jeanette Owens a certificate of appreciation for service on the Library Board from August 2005 through June 2009.

Proclamation of Oregon National Guard Month

Public Works and Development Director Jim Hossley read a proclamation identifying the City of Coos Bay as a community that recognizes the value of the National Guard in the safeguarding of the rights and freedoms of our city and all Americans. Councilor Kramer moved to accept the proclamation. Councilor Daily seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Recommendation of Denial of OLCC Application Renewal For Mak's

Police Chief Rodger Craddock stated ORS 471.166 establishes the process for local governments to recommend or deny initial and renewal of Oregon Liquor Control Commission (OLCC) applications. The application process includes a Police Department review for conformance to applicable regulations. The City Council is responsible for recommending or denying applications to the OLCC based upon the information provided by the Police Department. In June 2007 Greg Rudolfs, Melanie Clarke, and Denise Olsen applied to OLCC for a full on-premise sales license for a new business, Mak's, located at 375 Central Ave which was subsequently approved by Council. In December of 2007 OLCC Agent Gary Francis and Coos Bay Police Department Captain Gary McCullough met with the owners regarding numerous serious and persistent alcohol related incidents since opening. OLCC issued a warning to the owners for violation of 471.315(1) (c) "History of Serious and Persistent Problems". There continues to be numerous serious alcohol related incidents, a violation of ORS 471.315(1) (c). Councilor Eck moved to deny the renewal of Mak's OLCC application for renewal. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, and Melton voting aye. Councilor Pundt abstained from the vote. Councilor Pundt having abstained from the vote is deemed, pursuant to the provisions of 4.7.4 of the Rules of the City Council, to have voted with the majority, which approved the motion.

Award of Bid for New Fire Station

HGE Engineer Joe Slack stated on June 30th twelve sealed bids were opened. The architect estimates were Basic Bid \$4,359,243; Alternate 1 (Storm Water Draft Tank) \$125,000; Alternate 4 (Clean Agent Fire Suppressant) \$35,000; Alternate 6 (Offsite Electrical) \$20,000; Alternate 7 (Solar Electric System) \$84,000; and 300 days for construction completion. The successful bidder, Team Construction LLC, has expressed the desire to hire locally, has identified several

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local subcontractors they intend to engage if awarded, and estimates a 270 day construction schedule. Councilor Melton moved to award the new Fire Station No. 1 bid to Team Construction, LLC in the amount of \$3,830,800, which includes the base bid and all seven alternates. Councilor Eck seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Approval of the Three Year AFSCME Contract

City Manager Chuck Freeman stated staff and AFSCME representatives negotiated a new labor contract commencing July 1, 2009 through June 30, 2012. Changes in the contract include the definition of qualified domestic partner; creating a GIS position reclassifying a current employee; salary increases of 5% for 2009-10, 2010-11, and 2011-12; accrual of sick leave definition; extending out of state bereavement leave; and changing health insurance plans from the traditional plan V-C \$100 deductible to \$300 deductible with the option of moving to the Preferred Provider V-C plan. Councilor Kramer moved to approve the three year AFSCME contract. Councilor Daily seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Approval to Purchase Mobile Data Terminal's for Police Vehicles

Police Chief Rodger Craddock stated the Mobile Data Terminals (MDT's) Project includes the purchase and installation of mobile computer terminals in the patrol vehicles. The FY 2008/2009 Budget Committee approved a budget of \$92,000. Additionally, two grants were awarded to the City of Coos Bay for this project, the Coquille Tribal Community Fund for \$25,000 and a Dept. of Homeland Security multi-city joint award of \$120,014 (Myrtle Point and Coos County). With the grant awards, only \$23,273 of the \$92,000 budget will be necessary. Bids were solicited for the purchase and installation of the equipment with two vendors responding. Councilor Kramer moved to approve the purchase of the MDT's for \$48,193. Councilor Pundt seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Request Approval to Purchase a New Police Vehicle

Police Chief Rodger Craddock stated the FY 09-10 budget includes \$35,000 for the purchase of a police vehicle. Staff commenced research and found a trade show vehicle, fully equipped, at a reduced cost. An equipped vehicle is approximately \$31,680 however the trade show vehicle is being offered for \$29,900. Councilor Melton moved to approve the purchase of the police vehicle for \$29,900. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Amendment of the FY 2009-2010 Budget

Finance Director Rae Lea Cousens stated the amended Resolution 09-14 provides for housekeeping items to the adopted budget for FY 2009-2010 correcting terminology in order to meet Oregon Budget Law. Councilor Kramer moved to amend Resolution 09-14. Councilor Eck seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck,

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Johnson, Kramer, Melton, and Pundt voting aye.

Consideration of a Resolution Adopting a Capital Facilities Equalization Charge

Public Work and Development Director Jim Hossley stated Donovan Enterprises prepared a wastewater rate study and upon completion prepared a Capital Facilities Equalization Charge (CFEC) issue paper. The consultant presented the issue paper to the sanitary districts at the Public Works Standing Council Committee meetings in May and June. The CFEC provides a methodology and rate to invoice the sanitary districts the same “retail” rate for sewer treatment the citizens of Coos Bay are invoiced for sewer treatment. This commonly accepted methodology has been tested in the courts and is used by other entities. The FY 09-10 CFEC charge for Bunkerhill Sanitary District is \$23,336 and \$26,318 for Charleston Sanitary District and will be adjusted annually. Councilor Eck moved to adopt Resolution 09-20 adopting the Capital Facilities Equalization Charges. Councilor Daily seconded the motion which carried with Mayor McKeown and Councilors Daily Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Approval of Purchase of a Flush Toilet Restroom for Empire Boat Ramp

Public Work and Development Director Jim Hossley stated an Oregon State Marine Board grant for \$80,000 was applied and received to replace the restrooms at the Empire Boat Ramp. The existing restrooms will be demolished and replaced with a new pre-fabricated restroom from CXT, Inc, an approved vendor on the Oregon State Purchasing Agreement. The grant requires a \$20,000 match from the City which was budgeted in Fund 17, Parks Improvement Fund. Councilor Kramer moved to accept the Oregon State Marine Board Grant and purchase the CXT, Inc. pre-fabricated restroom facility. Councilor Melton seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Public Comments

Steve Pickering 2170 N 28th St: Suggested including a citizen and visitor on the BACC contract review subcommittee. Joe Benetti, 740 Telegraph: Interested in resolving the issues between the City of Coos Bay and the BACC. Mark Mattecheck, Visitors Convention Bureau (VCB) Chair: Stated the VCB, City, and TIC work closely and the expectations need to be clearly understood. Debbie Eler, Coquille: AFSCME President recognized the City's AFSCME members. Jan Delimont, 64782 East Bay Road: Representing the Coos Art Museum, provided a schedule of events. Jody McCaffree, North Bend: Stated there is an Oregon Energy Trust meeting on July 22nd to educate the public on incentives. Robert Cribbins 319 N 8th St: Asked where a citizen might volunteer to help our community.

City Attorney's Report

City Attorney Nate McClintock reminded the Council to submit Council Rules ideas.

City Manager's Report

City Manager Chuck Freeman stated the boat building school committee application process

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closes tomorrow with 10 applications received to date and asked the Council how they would like to handle the interviews. Consensus of the Council was to invite Dick Wagner to be involved in a work session. The Tourist Information Center (TIC) bid opening is Thursday at 2:00 p.m.; the food drive ends with a caravan on Saturday to the Newmark Center with our citizens contributing four boxes; update on grant applications: TIC \$26,000, new fire department \$45,000, retrofit of the city maintenance shop \$5,200, retrofit of various city street lights \$131,000, the State of Oregon failed to fund the Oregon Emergency Jobs grants (elk, gis mapping of city infrastructure, and painting of the Empire Fire Station), and research continues for funding to replace the bridge at John Topits park.


Council Comments

Councilor Daily enjoyed the 4th of July air show and community events; Councilor Johnson appreciates the American flags on the boardwalk; Councilor Melton suggested leaving the flags up on the boardwalk until all the Veterans return home, stated the Egyptian Theater Preservation committee is well managed, and asked when the geotech for the Egyptian Theater will be completed wherein City Engineer Carl Nolte stated a Request for Qualifications (RFQ) needs to be prepared; Councilor Pundt stated the Clamboree was a success, asked when the 10th Street project would be completed, and is concerned with the traffic at Schoneman and Newmark; Councilor Kramer stated the Clamboree was a success, stated 79% of the church material for the new fire station was recycled, and stated she would like a work session with the Historic Design Review Board to review design standards; Councilor Eck expressed displeasure with the construction area left by the Coos Bay –North Bend Water Board over the 4th of July for the community event in Mingus Park; Mayor McKeown stated the Clamboree was a success, commended the Relay for Life, stated the 4th of July in Mingus Park was great, and staff is working with the Port on potentially locating a dog park and shelter on the Eastside airport property.

Adjourn

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting is scheduled for July 21, 2009 in the Council Chambers at City Hall.


Jeff McKeown, Mayor

Attest: 

Rae Lea Cousens, City Recorder