

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

September 21, 2009

The minutes of the proceedings of a special 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, Finance Director Rae Lea Cousens, Deputy Finance Director Susanne Baker, Public Works and Development Director Jim Hossley, Fire Chief Stan Gibson, and Police Chief Rodger Craddock.

Flag Salute

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

**Consideration of an Enactment of an Ordinance
For a Gas Tax**

City Attorney Nate McClintock stated he has been working with the City of North Bend and the League of Oregon Cities to prepare ordinances for the Council to consider enacting a gas tax prior to the September 28, 2009 deadline. Mr. McClintock stated the first ordinance was the "gas tax ordinance", effective July 1, 2010, at a tax of one cent per gallon except from June 1st through August 31 whereby the tax will be three cents per gallon. The second ordinance refers the ordinance to the electors for the option to repeal the ordinance enacting the aforesaid gas tax.

Mr. McClintock stated the City Charter requires in order for an ordinance to become enacted, the ordinance be made available one week before the public meeting and if not, it must be read in its entirety at the meeting. Therefore, Mr. McClintock read the proposed ordinance establishing a business license tax on motor vehicle fuel dealers, providing for administration, enforcement and collection of the tax in its entirety.

Councilor Melton stated he is opposed to a gas tax that would fund bike paths, pedestrian walkways, or other areas not having a direct benefit to the traffic lanes for maintenance, building, and construction. Councilor Johnson agreed the tax should be exclusively for street maintenance, building, and construction. City Attorney Nate McClintock stated the ordinance could be amended making such changes.

Mayor McKeown asked how the difference in dates was derived whereby Mr. McClintock stated the dates were meant to coincide with the tourist season and mirrors the City of North Bend ordinance. Mr. McClintock also clarified Section 5(C)2, regarding taxing entities only located within the city limits.

Councilor Eck stated he did not agree with the gas tax for those already subject to Public Utilities Commission (PUC) tax based upon weight miles as it would be easy for commercial

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drivers to simply fill-up at the card-locks just outside of the city limits. Councilor Kramer stated the gas tax for those subject to the PUC based upon weight miles appeared to be a significant administrative burden for the gas station owners.

Councilor Daily, Pundt, Kramer and Mayor McKeown agreed in this economic environment, this was not the time to impose another tax and would not support the gas tax ordinance.

Councilor Johnson and Melton stated if the gas tax was dedicated strictly for roads and the voters had a chance to repeal, they were in favor of the ordinance. Councilor Eck stated it serves the citizens well to take care of the roads before they deteriorate and the ordinance had a provision referring the issue to the voters for their approval.

Councilor Pundt moved to not pass the proposed gas tax ordinance. Councilor Kramer seconded the motion which carried with Mayor McKeown and Councilors Daily, Pundt, and Kramer voting aye and Councilors Eck, Melton, and Johnson voting nay.

Mayor McKeown opened the public hearing.

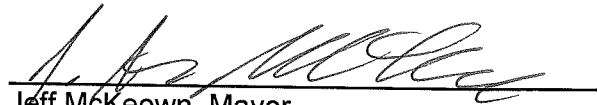
No public comments were made.

Public Comments


Councilor Kramer read a statement regarding the duties of the Council, Agency, and City Manager and stated her concerns if Mr. Freeman was no longer the City Manager.

Adjourn

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting is scheduled for October 6, 2009 in the Council Chambers at City Hall.



Jeff McKeown, Mayor

Attest: 

Rae Lea Cousens, City Recorder