

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

September 23, 2009

At the direction of City Attorney Nate McClintock and Mayor McKeown, City Manager Chuck Freeman was called to participate via telephone, pursuant to his request.

The minutes of the proceedings of a special meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held at 6 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 (via telephone), City Attorney Nate McClintock, Finance Director Rae Lea Cousens, Deputy Finance Director Susanne Baker, Public Works and Development Director Jim Hossley, Economic and Community Development Manager Joyce Jansen, 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.

Evaluation of City Manager Chuck Freeman

City Manager Chuck Freeman, via telephone conference, expressed his thankfulness for being able to participate via telephone. Mr. Freeman stated by Mayor McKeown choosing not to complete the city manager's performance evaluation form at the appropriate time, he demonstrated an abuse of office. Mayor McKeown also had the article placed in the newspaper to embarrass the City and to blame Mr. Freeman. Mr. Freeman stated he placed the City above himself and had demonstrated loyalty; he suggested communication was not the issue rather an abuse of office by Mayor McKeown; and explained Mayor McKeown had referred to the newspaper as a credible source when it was beneficial and conversely discredited when not beneficial.

Mayor McKeown reminded the Council of the Council rules for conducting meetings and invited comments starting with Councilor Daily. Councilor Kramer asked to comment wherein Councilor Daily yielded the floor to Councilor Kramer. Councilor Kramer stated she was offended by the reading of the Council rules that evening and the last meeting noting the Council conducted themselves appropriately. Mayor McKeown stated he acknowledged the Council follows meeting rules routinely as a matter of course. Council Daily stated Mr. Freeman had provided a statement to be read into the record by City Attorney Nate McClintock. Mr. McClintock read the 11 page statement which is attached and hereby made part of the record.

Councilor Pundt suggested circumstances had become personal, a facilitator had been hired to address those issues, and recommended moving forward with that course. He expressed his concern of proposed change costing the City \$140,000 to \$170,000. Councilor Pundt requested the record to reflect he was opposed to the pending action. Councilor Pundt moved to table the performance evaluation of the city manager for one month or until the council and staff

City Council Minutes – September 23, 2009

completed the process of working with the facilitator. Councilor Kramer seconded the motion. Councilor Pundt amended his motion to postpone rather than table and Councilor Kramer seconded the amended motion which failed with Councilors Daily, Kramer, and Pundt voting aye and Councilors Eck, Johnson, Melton and Mayor McKeown voting nay.

Councilor Melton moved to terminate the contract with City Manager Chuck Freeman without cause. Councilor Johnson seconded the motion. Councilor Kramer asked if the situation could be worked out and questioned what had happened over the last several months.

Councilor Daily stated no reason had been given for Mr. Freeman's termination; and a facilitator would have publicly addressed any issues at an already scheduled council work session. He questioned why Mayor McKeown did not understand why staff was not moving forward with plans for the urban renewal areas in Englewood and Eastside when the action had already occurred; he noted the Mayor had stated staff did not inform Channel 14 of a garbage franchise work session, when in fact, Channel 14 was setting up in the council chambers. He went on to say Mayor McKeown had suggested the City Manager misinformed the South Coast Development Council (SCDC) Director about a contract and the Urban Renewal Agency's position wherein the Mayor called for a review of the City Manager. Mr. Daily recalled a public comment made by Steve Pickering reminding the Agency of its position, and commented the staff report written for the September 16, 2008 meeting reported the scope of work beyond the \$10,000 was not budgeted, and he noted the minutes of the meeting were not verbatim. Councilor Daily was told by Councilor Melton that Mayor McKeown was his financial advisor; he spoke of Harley-Davidson potentially leaving the city wherein the business only had banner permitting problems; stated the Mayor suggested the City Manager changed wording of the SCDC contract approved by the Agency and SCDC Board; and stated the aforementioned actions do not justify the pending motion.

Councilor Johnson stated she absolutely and unequivocally supported the decision. The motion carried with Councilors Eck, Johnson, Melton and Mayor McKeown voting aye and Councilors Daily, Kramer, and Pundt voting nay. Councilor Daily requested a roll call:

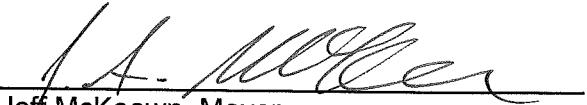
Aye:	Mayor McKeown and Councilors Eck, Johnson, and Melton
Nay:	Councilors Daily, Kramer, and Pundt
Absent:	None


Councilor Eck moved to appoint Police Chief Rodger Craddock as the Acting City Manager until the Council can hire an Interim City Manager. Councilor Melton seconded the motion which carried with Mayor McKeown and Councilors Eck, Daily, Johnson, Kramer, Melton, and Pundt voting aye.

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.

City Council Minutes – September 23, 2009


Jeff McKeown, Mayor

Attest: 
Rae Lea Cousens, City Recorder