

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

October 6, 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 Acting City Manager Rodger Craddock, City Attorney Nate McClintock, Intermediate Accountant Amy Kinnaman, Finance Director Rae Lea Cousens, Deputy Finance Director Susanne Baker, Public Works and Development Director Jim Hossley, Planning Administrator Laura Barron, Fire Chief Stan Gibson, Assistant Library Director Ellen Thompson, Economic and Community Development Manager Joyce Jansen, and Police Sergeant Chris Chapanar.

Flag Salute

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

Consent Calendar

Mayor McKeown reviewed the consent calendar which consisted of; 2a: approval of the minutes of September 8, 15, 21 and 23, 2009, 2b: acceptance of the September check registers, 2c: a request for approval to bid sewer projects, and 2d: approval of the Shop Local Advertising Campaign. Mr. McKeown requested an amendment to the minutes of September 8, 2009 to reflect Councilor Stephanie Kramer and Economic and Community Development Manager Joyce Jansen were in attendance and requested item 2c: Approval to Bid Sewer Project be added to the agenda for further consideration; Councilor Daily requested item 2d: Approval of the Shop Local Campaign also be moved to the agenda for further consideration. Councilor Eck moved to approve the consent calendar as modified. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Request Approval to Bid Sewer Projects

Public Works and Development Director Jim Hossley stated staff originally submitted a request for the approval to bid six sewer projects and since that time two emergency projects were added: a sewer line collapsed on Pine Avenue west of N. 8th and sink hole on Birch between Broadway and Front. Councilor Melton moved to approve bidding of all eight jobs as one project. Councilor Johnson seconded motion. Councilor Melton amended his motion to approve the bidding of all eight jobs as individual projects. Councilor Johnson seconded the motion as amended which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Approval of the Shop Local Advertising Campaign

Councilor Daily suggested the focus and name of the Shop Local Advertising Campaign should

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be changed to the Shop Coos Bay Campaign since the Downtown Urban Renewal fund was the primary funding source for the campaign. Economic and Development Director Joyce Jansen stated she would be meeting with Cindy Miller and did not see a problem with changing the name of the campaign. Councilor Daily moved to approve consent calendar item 2d with the emphasis being on Shop Coos Bay rather than Shop Local. Councilor Pundt seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Kramer, Melton, and Pundt voting aye and Councilor Johnson voting nay.

Public Hearing on the Proposed Ordinance to Consider Amending Chapter 8 of the Coos Bay Municipal Code Entitled “Nuisances” Approval would Require Enactment of the Proposed Ordinance

Planning Administrator Laura Barron stated the city had numerous vacant and abandoned properties where maintenance and vegetation had become a nuisance; and noted such nuisances can attract homeless activity, and creates fire and health hazard concerns for surrounding areas. As such, city staff suggested an addition of the following code revision to the Coos Bay Municipal Code Section 8.10.020, Nuisances affecting public health: (16) Along any roadway classified as an arterial or collector, no owner of real property which is abandoned or vacant, shall allow on the property the growth of any grass or weeds in excess of eight inches in height. Ms. Barron noted staff recommended Council postpone making a decision on the proposed code revision to allow more time for public input. Mayor McKeown suggested further research was necessary and recommended staff research ordinances in other cities. Councilor Eck cautioned taking action against private property versus the importance of keeping the city looking respectful at the expense of owner's rights.

Mayor McKeown opened the public hearing. Steve Pickering, 2170 N 28th: stated he was not in favor of enacting an ordinance that would not be enforced; and suggested the City was the biggest offender of the proposed ordinance.

Councilor Melton moved to table the decision on the code revision and directed staff to further research the matter. Councilor Johnson seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye. The motion was recalled whereby Councilor Melton amended the motion to postpone rather than table the decision. Councilor Johnson seconded the motion as amended which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Presentation on Staffing Levels of the Finance Department by Finance Director Rae Lea Cousens

Finance Director Rae Lea Cousens presented a PowerPoint presentation overview of staffing levels of the department. Ms. Cousens stated the Finance Department serves the public and city departments through service and compliance; noted the staffing level in 1996 was five FTE (full time equivalent) employees and had fluctuated over the years down to four. Ms. Cousens stated the department was currently staffed with five FTE employees including the Deputy Finance Director. Deputy Finance Director Susanne Baker briefly reviewed the job duties and tasks of the Deputy Finance Director, Intermediate Accountant, Finance Assistant and Accounting Technician I. Ms. Baker noted as the Deputy Finance Director her time and duties were split between the Finance Department and Public Works Department. Ms. Cousens noted

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staffing levels were dependent upon the level of service desired by the City Council based upon the present service expectation and to insure compliance of the Statement of Auditing Standards (SAS) 112 internal control policy to ensure proper segregation of duties.

Annual Report of the 2008-09 City of Coos Bay Urban Renewal Agency by Finance Director Rae Lea Cousens

Finance Director Rae Lea Cousens stated Oregon Revised Statutes (ORS) 457.460 required the Urban Renewal Agency to prepare a statement for monies the Agency expended during the current and preceding fiscal years; and noted the report was due to Council by August 1, 2009 and was being presented late. Ms. Cousens provided Council with a brief overview of the fiscal year 2009 Urban Renewal Report. Councilor Eck moved to accept the 2008-09 Urban Renewal Agency report. Councilor Kramer seconded motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Approval of Intra-Fund Transfer of Appropriations to the Special Public Safety Fund – Approval would Require Adoption of Resolution 09-24

Finance Director Rae Lea Cousens stated the City was awarded a Staffing for Adequate Fire and Emergency Response (SAFER) Grant for \$44,000. As such, adoption of Resolution 09-24 would assure the Special Public Safety – Fire Materials and Service Fund expenditures were authorized as required by Budget Law and would make the necessary appropriations for fiscal year 2009-10. Councilor Melton moved to approve Resolution 09-24. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Johnson, Kramer, Melton, and Pundt voting aye. Councilor Eck abstained from the vote citing a conflict of interest 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.

Approval of Operations Management of the Visitor Information Center

Acting City Manager Rodger Craddock stated the City was currently outsourcing the operation of the Visitor's Center to the Bay Area Chamber of Commerce (BACC) for \$53,000 annually. Mr. Craddock stated the BACC's current contract provided one fulltime staffed position (the Visitor Center Coordinator), utilities, internet connectivity, office supplies, lease payment for copier, public restroom supplies and cleaning, training expense, and volunteer appreciation events. Under the current agreement, the Visitor Center Coordinator also performs Chamber-related duties: website updates, prep of Chamber newsletter for mailing, process Chamber's mail, and staff support for the annual Economic Outlook Forum.

On September 2, 2009 the City requested proposals for operation for the Visitor Information Center (VIC). Deadline for submission was September 25th. The City received only one proposal and it was from the BACC. The proposal covered personnel, overhead and supervision, volunteer training, meetings and travel, association memberships and other miscellaneous costs; and proposed the City would assume all utilities, phone costs, provisions of a copier and office furnishings, janitorial services and postages; total proposal was \$63,077. As an alternative, staff estimated the cost for the City to employ a Visitor Center Coordinator covering personnel, meetings, travel, training and dues, printing, volunteer recognition and

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support, and office supplies for a total estimated cost of \$65,147; this option provides the Visitor Center Coordinator would perform all work for the City.

Councilor Kramer suggested the VIC would be better served if the City were oversee operations, noting the hours worked by a city employee would be focused on the city's business and not obligated to other duties as is the current Visitor Center Coordinator. Councilor Melton suggested if the city operated the Visitor Center the city could be subject to overtime; resulting in an additional cost to the city. Mr. Craddock stated under the current BACC contract the city was not required to pay overtime and noted if the position was staffed by a city employee the position would fall under the American Federation of State, County and Municipal Employees (ASFCME) union contract which prescribes any hours worked over 40 in a designated work week would be subject to overtime. Mr. Craddock stated if the city were to operate the Visitor Center, Economic and Community Development Manager Joyce Jansen would oversee the new position; noting Ms. Jansen had already relocated her office to Visitor Center in early January. Mayor McKeown stressed the importance of maintaining the integrity of the relationship and partnership with the BACC. Councilor Daily stated both options were relatively close in comparison but suggested there was greater transparency for the public with the city's option. Councilor Pundt felt the Chamber was more experienced in operating the Visitors Center but suggested the Chamber should take more responsibility with the utilities.

Councilor Pundt moved to award the operations of the Visitor Information Center to the Bay Area Chamber of Commerce as proposed. Councilor Eck seconded the motion which carried with Mayor McKeown, Councilors Eck, Melton, and Pundt voting aye and Councilor Daily and Kramer voting nay. Councilor Johnson abstained from the vote citing a conflict of interest 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.

Consideration of Approval - Flexible Service Maintenance Agreement with ODOT

Public Works and Development Director Jim Hossley stated the proposed agreement was to share road and highway maintenance services with the Oregon Department of Transportation (ODOT) including: patching, sweeping, vegetation control, signing, striping and drainage. The agreement would allow one party, either the city or ODOT to request the other party for maintenance services for their roads; services and equipment would be provided upon reasonable request at mutually convenient times and locations and allows each party the right to refuse to honor a request if the services or equipment are required for other purposes. Each party will bill the other for actual costs incurred for work performed by the other under the terms of the agreement with payment required within 45 days from receipt of invoice; total obligation for each party would not exceed \$75,000 during the term of the agreement. Mr. Hossley noted the agreement would allow the City to receive assistance with services it was unable to perform. Councilor Daily moved to authorize the Mayor to sign the flexible service maintenance agreement between the City of Coos Bay and the Oregon Department of Transportation. Councilor Johnson seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

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Consideration of Approval for the Ocean Boulevard Sidewalk and Pedestrian Improvements Agreement with ODOT

Public Works and Development Director Jim Hossley stated in July 2008 the city applied for a grant for the design and construction of approximately 3,000 lineal feet of sidewalk along the south-west side of Ocean Boulevard between 19th Avenue and Central Avenue. Mr. Hossley reported the city did not initially receive the grant but was identified as an alternate; in August 2009, the city was notified it would receive funds from the 2010-2011 Pedestrian and Bicycle Program Grant for the Ocean Boulevard sidewalk project; the state grant would contribute \$193,110 toward the design and construction of the project and would require the city to match \$64,370 towards the project. Councilor Melton moved to authorize the Mayor to sign the walkway/bikeway project agreement between the City of Coos Bay and Oregon Department of Transportation. Councilor Eck seconded the motion which carried with Mayor McKeown, Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

Public Comments

Katherine Hoppe of the Coos Bay/North Bend Visitor and Convention Bureau (VCB) announced the VCB received an Oregon Tourism Commission grant for \$10,000 which would be used for a collaborative advertising campaign between the Coos Bay, North Bend and Charleston areas in addition to partnering with Bandon, Reedsport, Winchester Bay, Port Orford, Gold Beach, and Brookings Harbor. Ms. Hoppe stated she would be presenting at the Business and Tourism Roundtable Event on Oct 9th from 10:00 to 11:30 a.m. and invited councilors to attend. Diane Hannah, 1041 S. 7th St: stated due to an ongoing drainage problem during the winter months a temporary containment area of contaminated water collects into her backyard; Ms. Hannah asked for the city's help in resolving the issue. Mayor McKeown requested staff to further research the matter. John Hensen 468 S. Wasson: requested Acting City Manager Rodger Craddock step down from his position as acting city manager, suggesting there was a conflict of interest with Mr. Craddock's temporary position and his regular position of Chief of Police. Mr. Hensen also stated concerns over police misconduct. Lance Wingert, 91698 Wingert Lane: stated he was recently assaulted and sought to press charges against his assailant and alleged the Coos Bay Police Department was not following through on the case. Geno Landrum, 63291 Clover Drive: suggested the city should consider a public art ordinance. Joe Benetti, 740 Telegraph: stated the council was doing a great job and he appreciated everything the council had done.

City Attorney's Report

City Attorney Nate McClintock reported he attended the League of Oregon Cities meeting for the City Attorney's Association and found it to be a positive and educational experience.

City Manager's Report

Acting City Manager Rodger Craddock reported the City had a signed contract with the South Coast Development Council (SCDC) and requested to move forward with the assistance of the council representative to work out the 2008/2009 billing.

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Council Comments

Councilor Pundt stated he attended the League of Oregon Cities session for Councilors and found the session to be very helpful; questioned what the budget implications were due to the firing of the city manager; asked what the next step was in the hiring or recruiting of a new city manager; Councilor Kramer expressed disappointment that the former City Manager Chuck Freeman was no longer with the city; stated Mr. Freeman was unable to attend his evaluation meeting because he was interviewing for another job and suggested the rashness of the council's decision cost the city an unnecessary \$123,000. Councilor Daily announced he had heard Kienyn Wicks, the local three year old in need of an organ transplant had received a liver match; stated Lab Band would be performing at the downtown fire station tomorrow night from 6:00 to 8:00 p.m. Councilor Johnson also attended the League of Oregon Cities session for Councilors and felt it was an exceptional experience and thanked the city for providing the opportunity to attend. Councilor Melton reported the library board and library foundation had a joint meeting to discuss plans for expanding the library; the plan would rearrange the existing space and add an 8,628 sq ft addition to the existing building; plans include a large meeting room and coffee shop. Councilor Eck reminded everyone it was fire prevention week; announced an open house at the downtown fire station tomorrow evening from 6:00 to 8:00 p.m; stated he was honored to attend the National Fallen Fire Fighters Memorial and serve as an escort to families that had lost loved ones this past year; Mayor McKeown acknowledged the council had been through a difficult time and encouraged the council to focus on the future and to move the city forward in a positive fashion.

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 20, 2009 in the Council Chambers at City Hall.

Attest:



Rae Lea Cousens, City Recorder



Jeff McKeown, Mayor