

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

February 2, 2010

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. Interviews with committee applicants were held at 5:45 p.m. in the Manager's Conference Room at City Hall.

### **Those Attending the City Council Meeting**

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 Rodger Craddock, City Attorney Nate McClintock, Finance Director Rae Lea Cousens, Intermediate Accountant Amy Kinnaman, Public Works and Development Director Jim Hossley, City Engineer Carl Nolte, Fire Chief Stan Gibson, Library Director Carol Ventgen, Economic Revitalization Administrator Joyce Jansen, and Acting Police Chief Gary McCullough

### **Interview of Committee Applicants**

The City Council interviewed John Bozzo, Chris Christoffer, Philip Marler, Nathan Mischel, Steve Pickering, and Jelena "Dudi" Wittwer for the three openings on the Budget Committee. Applicant Mike Gaudette was not available for an interview but requested consideration for re-appointment. No decisions were made.

### **Flag Salute**

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

### **Consent Calendar**

Mayor McKeown reviewed the consent calendar which consisted of 2a: approval of the minutes of January 19, 2010; 2b: approval of appointment of a civic member to the Coos County Commission on Children and Families; and 2c: approval of Fire Station #1 Change Order # 10 for Team Construction in the amount of \$10,917. Councilor Eck moved to approve the consent calendar for the approval of the minutes of January 19, 2010; approve the appointment of a civic member to the Coos County Commission of Children and Families; and approve the Fire Station #1 Change Order #10. Councilor Kramer seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

### **Appointments to the Budget Committee**

The City Council interviewed applicants for appointment to the Budget Committee to fulfill Mike Gaudette, Gary Rifkin and Jelena "Dudi" Wittwer's terms ending December 31, 2009. Applications were received from John Bozzo, Chris Christoffer, Mike Gaudette, Philip Marler, Nathan Mischel, Steve Pickering, and Jelena "Dudi" Wittwer. By Council ballot the Council appointed Chris Christoffer and Nathan Mischel and re-appointed Jelena "Dudi" Wittwer to the Budget Committee for a three year term ending December 31, 2012.

### **State of the City Address by Mayor McKeown**

Mayor McKeown provided a brief overview of accomplishments, current and future project and the overall financial position of the City. Mayor McKeown stated there were key areas of the City's revenue and expenditure budget that were not directly controlled by the City and given the state of the current economy revenue shortfalls were anticipated. Despite the anticipated revenue shortfall, the City had a strong financial position with a \$2.1 million dollar carryover as reflected by the City's bond rating increasing from an A- to an A+. Mayor McKeown stated one of the biggest events for the City was the selection of the new City Manager, Rodger Craddock. Current projects underway included the new Fire Station and Visitor Information Center in addition to the Hollering Place project which included the addition of the Boat Building Center. Future projects included the Coos Historical Museum and approximately \$42-45 million dollars of upgrades to the City's wastewater system as mandated by the Department of Environmental Quality (DEQ).

### **Council Committee Assignments**

Mayor McKeown provided Council Members with an updated listing of the various boards and committees each Councilor was appointed to and requested they review their appointments and notify him of any updates or changes.

### **Public Discussion on a Proposed Lease of the Morrison Street Property**

City Manager Rodger Craddock stated the Shoreline Community Church requested permission to enter into a long-term lease of the city owned Morrison Street property to construct a church. The property was originally donated to the City in 1986 by Phil and Ann Keizer with no documented restrictions. Mr. Craddock noted he was recently contacted by the Keizer family whom indicated it was their intention for the donated property to be developed and incorporated as part of John Topits Park. At the January 5, 2010 Council Meeting Council directed staff to notify the neighbors near the Morrison Street property to allow for public comments. Notices for the public discussion were sent out to the media and all neighbors surrounding the property in addition to neighbors living on the two main access routes of Morrison and Wasson.

Mayor McKeown opened the public comments. Harry Abel, 93706 Pickett Lane: stated he was an elder of the Shoreline Community Church and leader of their building committee. Mr. Abel provided a brief history of the Church and thanked the Council for their time and consideration of the proposed lease. Susan Wright, 1077 Pirates Court: asked if the Council had any plans to incorporate the Morrison Street Property as an extension of the John Topits Park; and stated she was not opposed to the Church being approved for use of the Morrison Street location. Mayor McKeown stated it was not the Council's intention to develop the property as part of John Topits Park. Karen Zink, 1055 Pirates Court: stated she was concerned about increased traffic and would prefer to see the property developed as part of John Topits Park. Debby Wilkinson, 549 N. Morrison St: stated she was opposed to the church lease due to the impact on existing traffic problems; and stated she was under the impression when she purchased her home that the Morrison property would be developed as a park. Mike Barnard, 966 Lombard St. North Bend: stated the Church was an independent non denominational congregation with approximately 100 members and noted the Church's operating costs were solely supported by

donation.

City Manager Rodger Craddock reported a conflict of interest noting he was not a member of the Shoreline Community Church but did attend services and as such, staff did not make a recommendation on the matter. Councilor Pundt suggested the property was best served as park but noted if the property were to be developed a church was his preferred option. Councilor Kramer suggested the property should be sold to the church rather than leased if the City were to decide to move forward with the Shoreline Community Church proposal. Councilor Daily suggested the City should look into reserving funds during the budgeting process to develop the property in the future; and was not in favor of leasing the property. Councilor Johnson advised if the property were surplus, the property could go to any developer for any number of uses; suggested the Church was a reasonable option and recommended a traffic study be completed. Councilor Melton was opposed to the City becoming a landlord. Councilor Eck stated the City was not in a financial position to develop the property into a park and questioned if the property would still be equitable for the Church if the City were to require conditions (i.e. street improvements). Mayor McKeown noted the City did not have adequate funds to maintain John Topits Park at its preferred level much less develop the Morrison property; suggested a lease with the Shoreline Community Church or surplus the property. Mayor McKeown suggested pursuing a lease and traffic study. Councilor Daily moved to keep the property in the City's care for future park use. Councilor Kramer seconded the motion which carried with Councilors Daily, Eck, Kramer, Melton, and Pundt voting aye and Mayor McKeown and Councilor Johnson voting nay.

**Public Hearing to Consider Approval on a Supplemental Budget Resolution - Approval Would Require Adoption of Resolution 10-02**

City Manager Rodger Craddock stated the proposed supplemental budget resolution would appropriate \$113,379 of carryover to the Hotel Motel Fund and remove the requirement to transfer \$41,600 less from the General Fund to the Hotel Motel Fund. Mayor McKeown opened the public hearing. No comments were made. Mr. Craddock stated the appropriation was necessary to offset costs of the Boat Building Management Agreement. Councilor Kramer moved to adopt Supplemental Budget Resolution 10-02 to appropriate \$113,379 of carryover to the Hotel Motel Fund and remove the transfer of \$41,600 less from the General Fund to the Hotel Motel Fund. Councilor Eck seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

**Presentation of the Coos Bay – North Bend Visitor Convention Bureau's Quarterly Report by Director Katherine Hoppe**

Katherine Hoppe, Director of Promotions and Conventions of the Coos Bay-North Bend Visitor & Conventions Bureau (VCB) presented a quarterly overview of the VCB activities. Ms. Hoppe announced the development of a new website, Southcoastoregon.com which provided information about the Southern Oregon coast and had links to all cities and towns located on the Southern Oregon coast; presented a video of a commercial which promoted the South Coast and stated the commercial was airing in the Redding/Medford and Eugene/Roseburg cable viewing areas; noted local KEZI would be airing the commercial in the fall. Other new media included Travel Oregon's weekly Blog, a Southern Oregon Facebook page, and a Partner and

Consumer newsletter focusing on industry news and local events. Ms. Hoppe announced a Geocaching campaign challenge beginning February 13<sup>th</sup> to locate a number of interesting and historical locations by Coordinates throughout Oregon's Adventure Coast. The first 500 geocacher's to successfully answer all of the questions will be awarded with a unique handcrafted Myrtlewood GeoCoin from Oregon Connection. Upcoming tradeshows include the Eugene Sportsmen Show, February 5 – 7, Medford Sportsmen Show, February 19 – 21, Roseburg Sportsmen Show, February 26 – 28, and the Washington/Oregon Meeting Professionals International Conference, March 7 – 9, 2009.

**Presentation of Quarterly Financial Report by Finance Director Rae Lea Cousens**

Finance Director Rae Lea Cousens presented a financial report representing six months or 50% of the fiscal year, through December 31, 2009. Revenues shown were collections for approximately five months and expenditures for approximately six months. Ms. Cousens stated the city's books were current with bank statements reconciled through December 2009. The Fund Summary showed actual revenues were more than actual expenditures through December 31, 2009 with the exception of the Wastewater, Hotel Motel, 9-1-1 and Building Codes Funds; and noted each fund had sufficient carryover to offset the variance. Ms. Cousens provided the Council with audited carryover balance from fiscal year end 2009 and noted components of fund balance as defined by GASB Statement 54 included: Nonspendable, Committed, Unassigned, Assigned and Restricted.

**New Fire Station Project Update by Fire Chief Stan Gibson**

Joseph Slack of HGE, Inc and Project Manager for the construction of the new fire station provided a Power Point presentation overview of the fire station project. Payments of \$2,008,835 had been authorized on fire station balance with approximately \$1,892,525 remaining including the 5% retainage. Mr. Slack stated sheet rocking and brick detailing was underway, the furnishings project was out for bid and Donnelly Street was scheduled for paving. Mr. Slack briefly reviewed the financial benefits to earning LEED certification and provided a summary of LEED features included in the new fire station; reported all contracts including changes orders totaled \$6,755,824 to date, with an estimated project contingency of \$222,836.

**Consideration of Revisions to a Portion of the Coos Bay Municipal Code on Bond Requirements and Demolition Permits**

Public Works and Development Director Jim Hossley stated Councilor Eck requested the present Coos Bay Municipal Code (CBMC) Section 15.30.040.110.4, Requirement for a Bond to Complete Demolition Work be brought to the City Council for consideration for revision. Mr. Hossley explained the City required bonds for demolition to ensure the City had the necessary funds to complete the demolition if the owner failed to complete the demolition; and noted the present language in the code was confusing and suggested the City develop a form to provide to bonding agents. It was the consensus of the Council to direct staff to revise the CBMC Section 15.30.040.110.4, Requirement for a Bond to Complete Demolition Work and return to Council for further consideration.

**Consideration of Revisions to a Portion of the Coos Bay Municipal Code on Towing of Illegal Vehicles**

Acting Police Chief Gary McCullough stated Coos Bay Municipal Code (CBMC) Chapter 10.40 addressed the removal of vehicles located on a public street deemed to be a hazard and/or were presumed to be abandoned by the legal owner. Section 10.40.30 required notice to be sent to the owner of the abandoned vehicle and any lessors or security interest holders, stating the vehicle would be towed unless the owner removes the vehicle within five days of the date of mailing. Current code also states the notice of intent to impound must be posted in a conspicuous place on the vehicle, and must state the vehicle would be towed on a date not less than five days after posting. The two notices provide a conflict in the time allotted for the owner to remove the vehicle. Mr. McCullough requested CBMC Section 10.40.030 be revised to “ten (10) days after the date of posting” to ensure the owner has adequate time to remove the vehicle upon receipt of the letter. Councilor Kramer moved to adopt the revision of the CBMC Section 10.40.030 to increase the time limit to ten (10) days after the date of posting in addition to no longer requiring inventories on abandoned vehicles. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

**Consideration of Revisions to a Portion of the Coos Bay Municipal Code on Skateboards and Roller Skates**

Acting Police Chief Gary McCullough stated the Coos Bay Municipal Code (CBMC) Chapter 10.30 regulated the use of skateboards and roller skates in specific areas. The purpose of the code was to address safety concerns inherent to the use of the skateboard and roller skate equipment in public areas, on sidewalks and in streets. Mr. McCullough requested a revision of the CBMC 10.30.030 to move the mandatory minimum fine amounts of \$50 to read “as prescribed by Oregon Revised Statutes” to correspond with current Oregon Revised Statutes and ensure violators will be fined an amount sufficient to cover court related costs. Councilor Pundt moved to revise the CBMC Section 10.30.030 to read as prescribed by Oregon Revised Statutes. Councilor Kramer seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

**Public Comments**

Steve Pickering, 2170 N 28<sup>th</sup> Street, Coos Bay: stated he was impressed with the building of the new fire station and its qualification for LEED certification. Mike Vaughn, 598 N. 4<sup>th</sup> Court: expressed a concern over citizens setting up a basketball hoop and playing basketball in the street in the vicinity of Park St; inquired the status of the armory site and stated he would like to see the armory site developed as a recreation site. Robert Cribbens, 319 N. 8<sup>th</sup> St: expressed opposition to the proposed smoking ban in Coos Bay parks. Scott Frasier, 23 Cypress Point: questioned why the city was considering spending money on a dog park and dog shelter given the state of the current economy; presented the Council with a petition with over 60 signatures in opposition of a dog park in East Side.

**City Attorney’s Report**

No report was given.

**City Manager's Report**


City Manager Rodger Craddock stated of the City received approximately \$100,000 in grant money from the Oregon Department of Energy; \$80,000 for streetlight re-lamping in the downtown and approximately \$20,000 for wastewater projects. Mr. Craddock anticipated news about the seismic retrofit grant early next week; and inquired if the Council preferred a week day or weekend for the Council retreat.

**Council Comments**

Councilor Pundt stated he had received several calls of concern over the proposed smoking ban in Coos Bay parks. Councilor Kramer suggested a compromise could be reached on the proposed smoking ban. Councilor Eck stated he attended the Chamber Banquet and noted Bandon Dunes was recognized as Business of the Year and Stephanie Kilmer recognized as Citizen of the Year. Councilor Johnson also attended the Chamber Banquet and was pleased to see community members recognized for their efforts. Councilor Melton stated he also enjoyed attending the Chamber Banquet; and noted he had received several calls of concern over the proposed smoking ban. Mayor McKeown stated he recently had a positive experience while shopping at Checkerberry's and encouraged everyone to shop local.

**Adjourn**

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting is scheduled for February 16, 2010 in the Council Chambers at City Hall.

  
\_\_\_\_\_  
Jeff McKeown, Mayor

Attest:   
\_\_\_\_\_  
Rae Lea Cousens, City Recorder