

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

**February 16, 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.

**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, Deputy Finance Director Susanne Baker, 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

**Flag Salute**

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

Mayor McKeown added agenda items Emergency Contracting – Westgate Subdivision to the agenda as Agenda Item No. 3a and Coos Bay – North Bend Visitor & Convention Bureau IGA as Agenda Item No 3b.

**Consent Calendar**

Mayor McKeown reviewed the consent calendar which consisted of 2a: approval of the minutes of January 26 and February 2, 2010; 2b: acceptance of January accounts receivable and payable check registers; 2c: acceptance of January combined cash report. Councilor Eck moved to approve the consent calendar for the approval of the minutes of January 26 and February 2, 2010, acceptance of January accounts receivable and payable check registers, and acceptance of January combined cash report. Councilor Melton seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

**Public Hearing to Consider a Proposed Supplemental Budget to  
Provide Du Jour Financing to the Urban Renewal Agency  
Approval Would Require Adoption of Resolution 10-03**

City Manager Rodger Craddock stated on November 3, 2009 the City of Coos Bay and Urban Renewal Agency (URA) entered into an Intergovernmental Agreement (IGA) to authorize du jour financing for the purpose of funding projects within the urban renewal plans. On November 17, 2009 Resolution 09-27 authorized short-term subordinate loans to the URA not to exceed \$500,000. Resolution 10-03 complies with state statutes regarding holding a public hearing for adoption of a supplemental budget to provide du jour financing; enters the City of Coos Bay into an IGA with the URA for Loan #2; and appropriates \$283,328 to provide debt financing to the URA. Mayor McKeown opened the public hearing. No public comments were made. Mayor McKeown closed the public hearing. Councilor Kramer moved to adopt Supplemental Budget Resolution 10-03 to provide du jour financing; enter into an IGA with the URA for Loan #2; and

appropriate \$283,328 to provide debt financing to the URA. Councilor Pundt seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

### **Emergency Contracting – Westgate Subdivision**

Public Works and Development Director Jim Hossley stated settlement has occurred over a deeply buried storm water drainage line behind homes in the Westgate subdivision and created a sinkhole. This line discharges storm water from upstream of the subdivision as well as storm water generated within the subdivision. OMI televised the line and determined the line has degraded. The line was 30' deep and in close proximity to homes and structures. The City of Coos Bay Public Contracting Rules, Ordinance 365, Section 11 (b) provides for emergency contracting when in excess of \$50,000. Mr. Hossley presented findings supporting prompt performance of the contract due to settlement occurring on residential properties posing an immediate threat to homes and structures. Staff must be able to quickly investigate and remedy repairs to the storm water drainage system. To encourage competition, staff utilized the Engineer and Surveyor of Record to conduct initial investigation and should a contractor become necessary, staff will select a firm based upon their expertise and ability to perform the work. Mr. Hossley stated the total project costs are unknown. Councilor Kramer moved to adopt the findings of staff and direct staff to move forward with the investigation and repairs to the Westgate storm water drainage system pursuant to the emergency contract rules in Section 11 of Ordinance 365. Councilor Johnson seconded the motion which carried with Mayor McKeown and Councilors Daily, Eck, Johnson, Kramer, Melton, and Pundt voting aye.

### **Coos Bay – North Bend Visitor & Convention Bureau IGA**

City Manager Rodger Craddock stated pursuant to an intergovernmental agreement (IGA) the cities of North Bend and Coos Bay contribute 2/7ths of their individual hotel/motel tax to fund the Coos Bay – North Bend Visitor's Convention Bureau (VCB). The City of North Bend and Coquille Indian Tribe recently entered into a consent decree which in part, relieves the Coquille Indian Tribe from remitting hotel/motel taxes to the City of North Bend. The Coquille Indian Tribe desires to pay their share of the hotel/motel tax directly to the VCB and in return requests both cities modify the IGA to include the Coquille Indian Tribe as a third entity whereby each would have two seats on the board. City of North Bend City Manager Jan Willis advised she would be recommending to her Council that a joint committee be formed comprised of three representatives from each entity to discuss the request and potential negotiations for an amended IGA.

### **Presentation on Coos Bay Area Habitat for Humanity by Director Kathy Kebler**

Coos Bay Area Habitat for Humanity Director Kathy Kebler presented a report on accomplishments since 1991: construction of 19 homes; currently developing an 18-lot parcel on Morrison Street; stated partner families invest at least 500 hours of hard work building their homes; stated 29 adults and 40 children have been housed; stated houses are between 900 and 1200 square feet of finished living area; stated land donations are being sought to continue the construction program; and advised this Saturday will be a work day on a house on Blanco Street in Empire.

### **Public Discussion on Rental Property Business Licenses**

City Manager Rodger Craddock presented an informational memorandum on rental property business licenses which included clarification from Coos Bay Municipal Code (CBMC), legal interpretation of CBMC by City Attorney Nate McClintock, comparison chart with other Oregon cities, a listing of city services provided relating to the business license program, and history of business license revenue to date. Mr. Craddock stated staff had interpreted the fee resolution and municipal code as each rental home being required to obtain a separate business license. City Attorney advised he believes a "unit" as referred to in the fee resolution would apply to the total number of units owned by an individual, regardless of their address in the City. Therefore, staff changed the processing of business licenses to comply with the City Attorney's interpretation with corrections or refunds issued as appropriate. Mayor McKeown suggested excluding single-family dwellings from requiring a business license. City Attorney McClintock suggested the ordinance would need to be amended to allow for this provision. Councilor Johnson stated the fee of \$15 for a single-family dwelling was only \$1.25 a month. Mayor McKeown opened the meeting for public input. Randy Baer, 649 S Wall: Questioned if he was required to have a business license if he hired a property management company and stated if he had to pay as a business, then everyone should. Will Wright, P.O. Box 1442: Requested exempting owners/landlords from this code and stated business licenses are expensive for rental property owners. Gino Landrum, 63218 Clover Drive, Coos Bay: Asked if the fees paid warrant conducting the work necessary to obtain the fee. Denny Powell, P.O. Box 1666: Stated he disagreed with any kind of fee being charged to rental property owners. Steve Auer, 1200 Ingersoll: Stated the definition of who was required to have a business license was vague. Mr. Craddock confirmed business license fees were always from the point of discovery forward and business owners were not penalized. Mayor McKeown stated licenses and permits were on the honor system; does not believe the fees were onerous; suggested the language be clarified; and suggested business licenses for rental property owners be the same as all other business license holders. Consensus was to form a committee which would include a representative from the rental owners association to assist in clarifying the rental property owners section of the ordinance. The Council directed staff to clean up some of the language of the municipal code and the manner in which the fees were calculated. The requirement to obtain and keep a rental business license was not changed.

### **Public Works & Development Department Quarterly Report by Director Jim Hossley**

Public Works and Development Director Jim Hossley provided a summary of projects and ongoing activities which included: Building permit activity, OMI maintenance activities from July through December 2009, highlighted ongoing engineering projects, and streets and parks maintenance activity.

### **Consideration of Revisions to Banner Regulations**

Public Works and Development Director Jim Hossley stated Mayor McKeown requested the city banner regulations be reviewed. Current regulations cover special community event banners hung over city owned property, right-of-way, and Highway 101. The banners hung over Highway 101 are regulated by the Oregon Dept. of Transportation (ODOT) and the City does not have control over those regulations. However, banners hung on city property could be

revised to allow for-profit business logos. Mayor McKeown asked if banners are hung for businesses if they are doing poorly wherein Mr. Hossley replied negatively, those banners are not hung. Councilor Daily stated public property should not be used to promote private business. Councilor Pundt stated there was an issue in using public property for private business and there should be a definition of what would be acceptable. Mayor McKeown suggested upgrading the 8" banner support posts in the city owned parking lot to better represent the City. Consensus was to direct staff to tighten up the regulations and bring back a revision which would include a for-profit business logo on a banner when hung on city property.

### **Review of Assignments of Council Board, Commissions, and Committees**

Mayor McKeown reviewed a listing of current appointments of the Councilors to various boards, commissions, and committees and suggested changes: Councilor Kramer: placement on the Mingus Park Pool Management board; Councilor Eck: placement on the Boys and Girls Club board; Councilor Daily: removed from the South Coast Development Council, placement on the Oregon Coast Historical Railway Society board, and placement on the Visitor Convention Bureau IGA review committee; Councilor Johnson: placement on the Egyptian Theater Preservation board and Visitor Convention Bureau IGA review committee; Councilor Melton: placement on the South Coast Development Council; Councilor Pundt: removed from the Mingus Park Pool Management board and removed from the Egyptian Theater Preservation Association board; McKeown: placement on the Mingus Park Pool Management board and placement on the Visitor Convention Bureau IGA review committee. Mayor McKeown suggested creating a joint committee with the County and other cities within the county to investigate why Coos County has the highest percentage of lung cancer.

### **Public Comments**

Gino Landrum, 63281 Clover Drive, Coos Bay: Questioned the sewer rates.

### **City Attorney's Report**

No report was given.

### **City Manager's Report**

City Manager Rodger Craddock stated there would be a work session at 6:00 p.m., Thursday to discuss the hazardous waste intergovernmental agreement with the County; and stated the City was awarded \$1.5 million for the City Hall seismic retrofit.

### **Council Comments**

Councilor Pundt was pleased with the progress on the new fire station; and asked the results of the recent traffic assessment conducted by the Police Dept. at Schoneman and Newmark wherein Mr. Craddock stated a traffic study may be requested for this intersection. Councilor Kramer stated she was pleased with the progress on the new Visitors Center. Councilor Melton stated the Historical Society evaluators toured the Egyptian Theater and voted unanimously to forward the historic register application for approval; and asked if pastors from our area could

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have an invocation at the beginning of the Council meeting where Mr. McClintock stated he would review and advise. Mayor McKeown suggested to add the senior center to the appropriate agenda in the future; and stated the local business focus this week was Blackwell's and encourage supporting local businesses.

**Adjourn**

There being no further business to come before the Council, Mayor McKeown adjourned the meeting. The next regular Council meeting was scheduled for March 3, 2010 in the Council Chambers at City Hall.

  
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Jon Eck, Council President

Attest:   
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Rae Lea Cousens, City Recorder