

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 7, 2011

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 Crystal Shoji and Councilors Jennifer Groth, Joanie Johnson, Stephanie Kramer, Gene Melton, and John Muenchrath. Councilor Mike Vaughan was appointed during the meeting. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Acting Finance Director Susanne Baker, Acting Deputy Finance Director Amy Kinnaman, Planning Administrator Laura Barron, Operations Administrator Randy Dixon, Economic Revitalization Administrator Joyce Jansen, Acting Library Director Carol Ventgen, Fire Chief Stan Gibson, and Police Captain Cal Mitts.

### **Executive Session**

At 6:30 p.m. prior to the start of the regularly scheduled Council meeting an executive session was held pursuant to ORS 192.660 (2) (e) for the Purpose of Discussing Real Property Transactions. No decisions were made.

### **Flag Salute**

Mayor Crystal Shoji opened the meeting and asked Police Captain Cal Mitts to lead the Council and assembly in the salute to the flag.

### **Public Comments**

No Comments were given.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of May 17, 2011; 3b: adoption of Resolution 11-09 extending workers' compensation coverage to City volunteers; 3c: adoption of Resolution 11-13 authorizing interfund borrowing and loans; 3d: adoption of Resolution 11-14 complying with Government Account Standards Board (GASB); 3e: adoption of Resolution 11-15 authorizing a jurisdictional exchange fund loan from the City; 3f: adoption of Resolution 11-16 to close the Building Codes Reserve Fund, Police Public Safety Fund, and Fire Public Safety Fund; 3g: approval of an annual Library District contract renewal; 3h: approval of an OLCC application for an additional privilege of off-premises sales for the Blue Heron Bistro; 3i: approval of annual OLCC renewals for Bassett-Hyland Energy, Benetti's Italian Restaurant, Bi-Mart, Blue Heron Bistro, Captain's Cabin, Coney Station, Coos Bay Grocery Outlet, Eagle's Lodge, Elk's Lodge, Englewood Market, Fred Meyer, Gooney's Sports Bar, Hours and Ours, Inc., dba Coach House, Kum Yon's Restaurant, Lighthouse Grocery & Deli, Margarita's Mexican Grill, McKay's Market (130 N. Cammann), McKay's Market (149 Central Ave.), Red Lion Hotel, Safeway, Silver Dollar Tavern (full on-premises and off-premises sales), Sumin's Restaurant, TNT Market, Wal-Mart Super Center, and Wanda's.

## **City Council Minutes – June 7, 2011**

Councilor Kramer moved to approve the consent calendar approving the minutes of the May 17, 2011; adopting Resolution 11-09 extending workers' compensation coverage to City volunteers; adopting Resolution 11-13 authorizing interfund borrowing and loans; adopting Resolution 11-14 complying with Government Account Standards Board (GASB); adopting Resolution 11-15 authorizing a jurisdictional exchange fund loan from the City; adopting Resolution 11-16 to close the Building Codes Reserve Fund, Police Public Safety Fund, and Fire Public Safety Fund; approving an annual Library District contract renewal; approving an OLCC application for an additional privilege off-premises sales for the Blue Heron Bistro; and approving annual OLCC renewals for Bassett-Hyland Energy, Benetti's Italian Restaurant, Bi-Mart, Blue Heron Bistro, Captain's Cabin, Coney Station, Coos Bay Grocery Outlet, Eagle's Lodge, Elk's Lodge, Englewood Market, Fred Meyer, Gooney's Sports Bar, Hours and Ours, Inc., dba Coach House, Kum Yon's Restaurant, Lighthouse Grocery & Deli, Margarita's Mexican Grill, McKay's Market (130 N. Cammann), McKay's Market (149 Central Ave.), Red Lion Hotel, Safeway, Silver Dollar Tavern (full on-premises and off-premises sales), Sumin's Restaurant, TNT Market, Wal-Mart Super Center, and Wanda's. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, and Muenchrath voting aye.

### **Presentation of an Appreciation of Service Plaque to Jon Eck**

In consideration of Jon Eck's resignation from his position as City Councilor at the May 17<sup>th</sup> City Council and Urban Renewal Agency, Mayor Shoji presented Mr. Eck with an appreciation of service plaque. Mayor Shoji thanked Mr. Eck for his dedication and volunteer effort. Mr. Eck thanked Mayor Shoji and stated he looked forward to his continued work with the City.

### **Presentation of Appreciation Certificates to Jumpei Liyama and Sabrina Andrews for Their Sister City Disaster Relief Fund Raising Efforts**

Mayor Shoji presented certificates of appreciation to Southwestern Oregon Community College (SWOCC) students Sabrina Andrews and Jumpei Liyama for their efforts to organize a benefit concert for Japanese disaster survivors. The fundraising concert was held at the college on May 21<sup>st</sup> in the Performing Arts Center with proceeds from the concert to be sent to Choshi, Japan, Coos Bay's sister city. The concert was composed of several individual performances from SWOCC students and raised nearly \$400. Mr. Liyaman stated he was from Japan and wanted do something in support of the people of Japan and Coos Bay's sister city of Choshi. Mr. Liyaman presented a poster with words of support and request it be sent along with the monies raised.

### **Appointment of City Council President**

City Manager Rodger Craddock stated due to Jon Eck's recent resignation from the City Council, the position of Council President was currently unfilled. As indicated in the City Charter and Council Rules, the role of the Council President was to preside over Council meetings in the absence of the Mayor and to act as the Mayor whenever the Mayor was unable, on account of absence, illness, or other cause to perform the functions of the office. Mayor Shoji stated Councilors Melton and Kramer both expressed interest in the Council President position. By action of Council ballot Stephanie Kramer was elected Council President.

### **Discussion on Filling the Council Position Left Vacant by Jon Eck**

## City Council Minutes – June 7, 2011

City Attorney Nate McClintock stated Jon Eck's vacated position on the Council was open and needed to be filled. Based on City Charter and as relevant history has shown, the Council could use any of the following options to fill the position: Use a process such as accepting letters of interest, interviewing applicants, and appointing one of the applicants to the open position; appoint the candidate who received the 4<sup>th</sup> highest vote in the last election; or appoint a new councilor through a majority vote without holding an application process or using the results from the last election. Mr. McClintock noted whatever process the Council choose, the appointed Councilor would serve until the next biennial general election in November of 2012. The person then appointed would stand for election if he or she so desired.

Mayor Shoji stated it was her preference the position be filled by the candidate with the next highest votes from the previous election (which was Mike Vaughan) but would consider an application process. Councilor Muenchrath stated he felt more comfortable deferring to the public to fill the Council vacancy by selecting the person with the next highest votes from the November 2010 election. Councilor Kramer and Melton agreed with Councilor Muenchrath. Councilor Johnson expressed concern about the amount of time that had passed since the election and the amount of people that were running at that time. Councilor Groth stated the person with next highest votes was the most defensible position. Mayor Shoji inquired if Mike Vaughan was still interested in serving on the City Council whereby Mr. Vaughan stated he still wanted to serve on the council. Councilor Melton moved to appoint Mike Vaughan to fill the vacant council position. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, and Muenchrath voting aye. The oath of office was administered to Councilor Vaughan by Acting Finance Director/Recorder Susanne Baker.

### **Public Hearing on the use of State Revenue Sharing Funds – Approval to Accept the Funds Would Require Adoption of Resolution 11-10**

Acting Finance Director Susanne Baker stated eligibility requirements for State Revenue Sharing program required both the Budget Committee and City Council to hold public hearings for the use of State Revenue Sharing Funds. A public hearing was held before the Budget Committee on April 26, 2011. Councilor Groth read the resolution out loud. Mayor Shoji opened the public hearing. No public comments were given and the hearing was closed. Councilor Kramer moved to adopt Resolution 11-10 approving participation in the State Revenue Sharing program. Councilor Johnson seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

### **Public Hearing on the Approved Budget for Fiscal Year 2011/2012 – Adoption of Resolution 11-11 Would Adopt the Budget, Make Appropriations, and Levy Ad Valorem Taxes**

Acting Finance Director Susanne Baker stated the proposed budget for fiscal year 2011/2012 was reviewed by the Budget Committee, and was approved on April 26, 2011 to be forwarded to the City Council for adoption. Mayor Shoji opened the public hearing. No public comments were given and the hearing was closed. Councilor Muenchrath moved to adopt Resolution 11-11 adopting the budget of the City of Coos Bay for Fiscal Year 2011/2012 and imposing the City's maximum permanent tax rate of \$6.3643 per \$1,000 taxable assessed value. Councilor

## City Council Minutes – June 7, 2011

Kramer seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

### **Public Hearing to Consider Approval on a Proposed Increase in Solid Waste Collection Fees – Approval Would Require Adoption of Resolution 11-12**

City Manager Rodger Craddock stated the proposed solid waste rate increase would not benefit local waste haulers but would go to fund the Household Hazardous Waste Plan (HHW Plan). Craig Filip of Oregon Department of Environmental Quality stated the purpose of the HHW Plan was to allow Coos and Curry Counties, in partnership with their cities and waste haulers, to manage hazardous waste from households and business. The proposed rate increase of the tipping fee for FYE 2012 would be approximately \$3.38 per ton of waste disposed. The impact on collection rates would vary based on the size of container and service levels, but was estimated to average \$0.30 per household and \$0.41 per container yard a month. The proposed rate increase would go to fund the building and operation of the permanent HHW facility at the Beaver Hill Disposal Site. Mr. Craddock stated the already signed Intergovernmental Agreement (IGA) required participating cities to approve the increase to the disposal rate no later than July 1, 2011. Councilor Groth inquired if the cities of North Bend, Powers, and Lakeside had made a decision to support the Plan whereby Mr. Craddock stated it was his understanding that the Cities of Powers and Lakeside had decided against the Plan and the City of North Bend was still considering their support of the Plan. Councilor Vaughan expressed concern over having only one collection event in each county per year. Mr. Filip stated additional collection events would be added after the first year of the Plan. Mayor Shoji inquired if DEQ was implementing similar type plans in other counties. Mr. Filip stated DEQ would provide planning money to any county interested in managing HHW. Mayor Shoji opened the public hearing. No comments were given and the hearing was closed. Councilor Melton wanted to hear from both waste haulers before making his consideration. Bill Richardson and Pete Smart of Coos Bay Sanitary and Les' Sanitary Services stated their businesses did not benefit from the Plan stating the revenue was merely a pass through to Coos and Curry Counties.

Councilor Muenchrath moved to adopt Resolution 11-12 adopting rates for the collection of residential, commercial, and commercial container solid waste, as set forth in "Exhibit A" to be effective July 1, 2011. Councilor Johnson seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye. Councilor Kramer moved to appoint City Manager Rodger Craddock to serve on the Steering Committee for the HHW Plan. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

### **Consideration of Approval on the 2011-2014 International Association of Fire Fighters (IAFF) Collective Bargaining Agreement**

City Manager Rodger Craddock stated the labor contract between the City and the Coos Chapter of the IAFF Local #2935 was slated to expire on June 30, 2011. Mr. Craddock stated he, and Fire Chief Stan Gibson, met with the IAFF's Bargaining Team Members on December 13, 2010 and also on January 13, January 27, March 30, and May 2, 2011. Based on the meetings several tentative agreements were made subject to the approval of the Council.

## **City Council Minutes – June 7, 2011**

Under the proposed contract, bargaining unit members would receive the following cost of living (COLA) salary increases: July 1, 2011 – 3%, July 1, 2012 – 2% to 5% (based upon January 2011's US CPI-W), and July 1, 2013 – 2% to 5% (based upon January 2012's US CIP-W). Incentive Pay proposed changes would be to replace the current National Fire Protection Association (NFPA) Certification Incentive of 3% with the following: AA/AS Degree – 3%, BA/BS Degree – 5%, and Fire Officer II Certification – 2% of base salary. The current tuition reimbursement language would be changed to the following: tuition reimbursement for fire/EMS related courses would be based on the letter grade received and limited to \$1,500 per fiscal year; "A" = 100%, "B" = 80%, "C" = 70%, and "D" or below = 0% reimbursement. A new Physical Fitness Incentive Pay would be added to include a \$1,000 annual bonus and limited to fire fighters who were required to pass a yearly physical agility test approved by the City. The proposed contract change would also allow union members to take vacation in increments of not less than four (4) hours, providing the use of those hours did not create a short shift or overtime situation in addition to the IAFF's acceptance of language revision to Article 32 of the current contract involving the use of alcohol and drugs.

Mr. Craddock stated the negotiated tentative agreement would represent an increase of \$59,090 over the current FYE 2011. The Budget Committee approved an expenditure of \$1,946,745 for Fire employee related compensation for FYE 2012 and would cover the proposed increase/changes. Councilor Kramer moved to approve the tentatively negotiated contract changes and to allow the City Manager to sign a new three year labor contract with the Coos Chapter of the International Association of Fire Fighters Local #2935. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Johnson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

### **Request for Approval to Purchase a Fire Pickup**

Fire Chief Stan Gibson stated the Fire Department's 2001 Suburban was scheduled for replacement this year. The vehicle was originally purchased as a command unit but in 2008 was transitioned to a utility vehicle for the department. Based upon the departments needs a 2011 Ford F-250 utility pick-up with alterations for emergency use was selected as the replacement for the 2001 Suburban. The estimated cost of the new truck was \$40,400 which would be paid for out of the Fire Department Equipment Reserve Fund. Mr. Gibson stated the truck would be purchased through the state bid process as quotes from local vendors were not competitive with purchase price offered through state bid process. Councilor Kramer inquired if the new truck would get better fuel mileage whereby Mr. Gibson confirmed the new vehicle would get better fuel mileage. Mayor Shoji inquired if any local auto dealers participated in the state bidding process. Mr. Gibson advised that local vendors were not currently part of the state bidding process. Mayor Shoji and Councilor Muenchrath suggested the vehicle should be purchased locally. Mayor Shoji inquired if the City was required to purchase from the lowest bid. City Attorney Nate McClintock stated he would review the matter and report back to the Council. It was the consensus of the Council to postpone consideration of the purchase to allow time for the City Attorney to review the purchase and for staff to request additional local bids.

## City Council Minutes – June 7, 2011

### City Attorney's Report

City Attorney Nate McClintock reported he and his family enjoyed participating in the walk with the Mayor event during the Memorial Day Parade.

### City Manager's Report

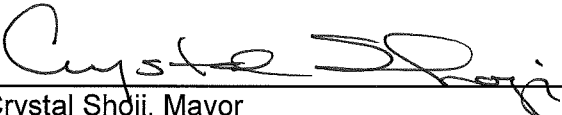
City Manager Rodger Craddock stated he and his wife handed out over ten pounds of candy at the Memorial Day Parade on behalf of the Coos Bay Lions Club; reported the Lions Club would also be holding a fundraising event at Abby's Pizza on June 8<sup>th</sup> with proceeds going to help fund eye exams, eyeglasses, hearing aids, and children's dental for local citizens in need.

### Council Comments

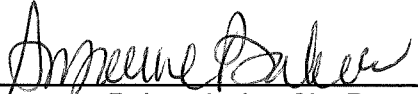
Councilor Groth stated she would not be in attendance at the June 21<sup>st</sup> Council Meeting; reported she was currently working with the Coos Bay – North Bend Water Board budget and found it to be a positive educational experience; and reminded the Council of the SDAT visit on June 21<sup>st</sup> and 22<sup>nd</sup> and encouraged others to attend. Councilor Johnson congratulated Mike Vaughan for his new position on the Council; and reminded citizens the current exhibit at the Coos Art Museum was the Thunder exhibition of motorcycles and motorcycle art to be shown from June 10 – July 23, 2011. Councilor Melton thanked all the participants and all those who attended the Memorial Day Parade; expressed concern over how the end of the parade was coordinated. Councilor Vaughan thanked the Council for their vote of confidence for his capacity to serve; reported he recently attended the Weed Advisory Board meeting and advised about upcoming weed pulling events; and suggested the City should look into obtaining grants to fund invasive weed removal. Councilor Kramer reminded everyone the Clamboree was scheduled for June 25<sup>th</sup> in Empire; and reported the Daughters of American Revolution would also be re-dedicating the Camp Castaway Marker at 2:30 p.m. on the 25<sup>th</sup>. Mayor Shoji thanked everyone for their support at the Memorial Day Parade; was recently contacted by the Discover America Series and was given the opportunity to speak with them about Coos Bay with the hoped they would select Coos Bay for one of their series shows; and provided the Councilors with a copy of the official notification which listed the Egyptian Theatre on the Historic Preservation League's Most Endangered Places list.

### Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting is scheduled for June 21, 2011 in the Council Chambers at City Hall.

  
Crystal Shoji, Mayor

Attest:

  
Susanne Baker, Acting City Recorder