

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**December 20, 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 Library Meeting Room, 525 Anderson Avenue, Coos Bay, Oregon.

### **Those Attending**

Those present were Mayor Crystal Shoji and Councilors Jennifer Groth, Gene Melton, John Muenchrath, and Mike Vaughan. Councilors Joanie Johnson and Stephanie Kramer were absent. City staff present were City Manager Rodger Craddock, Deputy Finance Director Amy Kinnaman, Intermediate Accountant Debbie Frankenberger, Public Works and Development Director Jim Hossley, Operations Administrator Randy Dixon, Fire Chief Stan Gibson, Acting Library Director Ellen Thompson, and Police Chief Gary McCullough.

### **City Council Interviews**

At 5:40 p.m. prior to the start of the regularly scheduled Council meeting, the Council interviewed Howard Forte, Roy Metzger, Brian Bowers, and Don Irvin for two openings on the Budget Committee. Jennifer Stephens was interviewed for the one opening of the "at large" position on the Parks Commission; applicant Daniel Baumann did not attend his scheduled interview. No interviews were held for the three openings on the Planning Commission; applicant Daniel Baumann did not attend his scheduled interview. No decisions were made.

### **Flag Salute**

Mayor Shoji opened the meeting and asked Timm Slater 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 November 29, and December 6, 2011; 3b: acceptance of November 2011 accounts payable and payroll check registers; 3c: acceptance of the November 2011 combined cash report; and 3d: approval of an OLCC application for a change of ownership for the Red Lion Hotel. Mayor Shoji requested item 3a: approval of the minutes of November 29, 2011 be moved down to the agenda as item 4a. Councilor Groth moved to approve the consent calendar as amended approving the minutes of December 6, 2011, accepting the November 2011 accounts payable and payroll check registers, accepting the November 2011 combined cash reports, and approving an OLCC application for a change of ownership for the Red Lion Hotel. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent.

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### **Presentation of the Homeless Persons' Memorial Day Proclamation by Patty Gouveia**

Patty Gouveia stated she was standing in on behalf of Neighbors in Need which was a coalition of homeless agencies and independent individuals concerned with homelessness in our community. The National Coalition for the Homeless, the National Consumer Advisory Board, and The National Health Care for the Homeless Council encouraged communities to join public events on December 21<sup>st</sup> remembering our neighbors who died while being homeless in the past year. Ms Gouveia advised Neighbors in Need in collaboration with Coos County would be holding a memorial vigil on the Coos Bay Boardwalk on Wednesday, December 21<sup>st</sup> at 6:00 p.m. Commissioner Cam Parry was scheduled to represent Coos County at the vigil and the Council was invited to participate in the event. Ms. Gouveia and Mayor Shoji invited the Council and community to attend monthly meetings of Neighbors in Needs held the fourth Tuesday of each month at the Nancy Devereux Center; the next meeting would be held January 24, 2012. Ms. Gouveia and Mayor Shoji read the proclamation declaring December 21, 2011 as Homeless Persons' Memorial Day. Councilor Melton moved to accept the Homeless Person's Memorial Day proclamation. The Council observed a moment of silence. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

### **Approval of the Minutes of November 29, 2011**

Mayor Shoji requested the minutes of November 29, 2011 be amended to correct a goal listed within the Economic Development and City Revitalization which should have read: appoint an outside group of volunteers to evaluate/suggest on economic development. Councilor Groth moved to approve the amended minutes of November 29, 2011. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent.

### **Bay Area Chamber of Commerce Semi-Annual Report by Chamber President Eric Farm**

Timm Slater, Executive Director of the Bay Area Chamber of Commerce (BACC) stated he appreciated the opportunity to provide the Council with semi-annual reports on BACC activity. BACC President Eric Farm provided information to the Council on the history of the BACC, its membership, activities provided on behalf of the business communities, and volunteer recruitment. Mr. Farm noted this year marked the third year that the BACC managed the Coos Bay Visitor Center; and reported earlier in the month the Chamber recognized the outstanding volunteers from all three local visitor centers with a dinner and gift baskets. Mr. Farm encouraged everyone to stop by and express their thanks to all of the local volunteers. Other highlights included the commencement of the 23<sup>rd</sup> Leadership Coos class this fall; the 19<sup>th</sup> Annual Economic Outlook Forum; the Wednesday Business Connection lunch; monthly business after hour events, and six business ribbon cuttings. City Manager Rodger Craddock thanked Timm Slater and his staff for the excellent job they were doing operating the Visitor's Center. Mr. Craddock stated he appreciated Mr. Slater's management and leadership skills and all the help the City received from RSVP's volunteers. Mr. Farm stated he looked forward to seeing everyone at the upcoming BACC Annual Awards Banquet on Saturday, January 28, 2012; thanked the Council for the opportunity to provide an update on the BACC and wished everyone a Merry Christmas.

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### **Appointments to the Budget Committee, Parks Commission, and Planning Commission**

No interviews were held for appointments to the Planning Commission to fulfill Christine Coles, Steve Donovan, and Rex Miller's terms ending December 31, 2011. Applications were received from Christine Coles, Rex Miller, and Daniel Baumann. Applicant Daniel Baumann did not attend his scheduled interview. Councilor Muenchrath suggested since Daniel Baumann was not able to be interviewed and none of the other applicants were interviewed because they were seeking re-appointment, it would be fairer to delay all appointments to Planning Commission. Mayor Shoji inquired if the Council would be delaying action by the Planning Commission or if they would still have a quorum to operate. Christine Coles, Chair of the Planning Commission advised that both her term and Rex Miller's terms expired on December 31, 2011; and stated the Planning Commission had a total of seven members of which four were required for a vote. City Attorney Nate McClintock advised the Council could temporarily extend the current appointments to the Planning Commission. Councilor Muenchrath moved to delay all appointments to the Planning Commission to be considered at a later date. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Muenchrath, and Vaughan voting aye and Councilor Melton voting nay. Councilors Johnson and Kramer were absent. Mayor Shoji moved to extend the current terms of Christine Coles and Rex Miller's position on the Planning Commission until the positions were filled. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent. Councilor Muenchrath requested staff look into revising the current ordinance to ease the criteria for making appointments to boards, commissions, and committees.

The Council interviewed applicants for appointment to the Budget Committee to fulfill Howard Forte and Roy Metzger's terms ending December 31, 2011. Applications were received from Howard Forte, Roy Metzger, Brian Bowers, and Don Irvin. By Council ballot the Council appointed Brian Bowers and re-appointed Roy Metzger to the Budget Committee for a three-year term ending December 31, 2014.

The Council interviewed applicants for appointment to the Parks Commission to fulfill Mike Vaughan's unexpired term ending December 31, 2014. Applications were received from Daniel Baumann and Jennifer Stephens for the "at large" position. Applicant Daniel Baumann did not attend his scheduled interview. There were no applicants qualified for the "Landscape Professional or Business" position. By Council ballot the Council appointed Jennifer Stephens to the Parks Commission "at large" to fulfill Mike Vaughan's unexpired term ending December 31, 2014.

### **Approval on Setting a Public Hearing Before the Planning Commission on a Proposal to Vacate the Webster Avenue Right-of-Way Between South Marple and South Wall Streets**

Public Works and Development Director Jim Hossley stated his department received a request from Siegfried Hoffman of 611 S. Marple, to vacate Webster Avenue between S. Marple and S. Wall Streets. Mr. Hoffman owned the property abutting the south side of the Webster Avenue right of way. Mr. Hoffman met with city staff and requested the Council initiate the street vacation pursuant to Coos Bay Municipal Code Chapter 17.375.020(2) whereby a vacation may be initiated by the Council by a majority vote without a petition or consent of property owners and prior to giving public notice. Mr. Hoffman felt the process of gathering notarized signatures

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of landowners in the area affected by the vacation, as required by state law was too arduous. The address was for an undeveloped lot at the southeast corner of the Webster Avenue right of way and S. Marple Street intersection. Mr. Hossley noted a small stream ran through the lot, passed under S. Marple Street and discharged onto the north end of the property the city recently purchased for the expansion of wastewater treatment plant #2. Based on the how the lot currently existed, there was very little buildable area available without rerouting the stream; regulatory issues related to the rerouting effort would be substantial. Mr. Hoffman believed if he acquired the south half of the Webster right of way he would be able to build a home on the property without impacting the stream. In October it was discovered Mr. Hoffman was in violation of city regulations for various non-permitted activities. Mr. Hossley stated staff was continuing to work with Mr. Hoffman to get him in compliance with city regulations. Councilor Groth inquired if surrounding landowners would be informed of the proposed vacation through the Planning Commission process. Mr. Hossley stated property owners within 250 ft of the entire length of the area being vacated would be notified of the public hearing. Mr. Hoffman stated he had been trying to build a house on his property for the past two and one half months; request consideration for the proposed vacation be expedited because he still wanted to build his home on the property. Councilor Muenchrath moved to set a public hearing date for the proposed vacation before the Planning Commission during their regular meeting on February 14, 2012. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent.

### **Update on the Value Analysis for Wastewater Treatment Plant #2 Facilities Plan Amendment**

Oregon Department of Environmental Quality (DEQ) requested the City prepare a Facility Plan Amendment (FPA) to document changes to the original 2007 Facility Plan prepared for Wastewater Treatment Plant #2. This FPA prepared by Civil West Engineering Services, Inc. o further analyzed the influent facility, treatment, and disinfection alternatives and was 50% completed. At the 50% completed stage the City moved forward with preparation of a Value Analysis (VA) to evaluate the recommended alternatives to date and see if there were other alternatives worth considering. The City advertised an RFQ for qualified consultants to submit a Statement of Qualifications to perform a VA for this project and CH2M Hill was the firm selected. The Value Analysis consisted of a team of experts, City Staff, representatives from the Charleston Sanitation District, and DEQ in a three day workshop held the week of October 24<sup>th</sup>. The VA team presented its findings and prepared a report that included alternative proposals not in the FPA. Public Works and Development Director Jim Hossley stated the alternatives proposed were not commonly used in the western United States but appeared to be gaining popularity due to their superior water quality treatment capability and the method for treating high flows. Three cities in Oregon were successful in processing and approving the technology through DEQ. Mr. Hossley noted there were still questions needing to be answered including the constructability and cost of the alternatives. Staff negotiated with consultants to provide construction and life cycle cost analysis as well as address the constructability issues to the top two alternatives recommended in the FPA and VA. The VA team estimated one of its construction alternatives may be 25% less expensive than the top alternative proposed in the FPA. Councilor Muenchrath asked when the project will be finalized. Mr. Hossley stated the end of January or February 2012.

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### **Approval of the Installation of Equipment in the New Police Vehicles**

Police Chief Gary McCullough stated in September 2011 the Council approved the purchase of three 2012 Chevrolet Tahoe's with available factory equipment for patrol use for a cost of \$85,630. Police Department staff recently obtained three competitive bids to install the vehicles with necessary technical and safety equipment, emergency overhead light bars, barriers, prisoner transport seats, mobile radios, digital video recording equipment and other electrical wiring modifications. Auto Additions of Salem submitted the lowest bid price of \$34,200 for the purchase and installation of the necessary equipment. Councilor Muenchrath moved to approve the expenditure not to exceed \$34,200 to purchase and install the necessary technical and safety equipment for the three police services vehicles that were purchased September 2011. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

### **Consideration of Council Chambers Dais Remodel Options**

City Manager Rodger Craddock stated as part of the City Hall seismic upgrade project, the Council Chamber would be remodeled. Mr. Craddock stated over the years various criticisms were noted with the flexibility of the existing room, audience seating, projection system, and the height of the dais. Staff proposed a plan to make the Council Chambers a more useable and inviting space: moveable, comfortable seating which could be rearranged to configure the room for multiple uses, improvements to the sound system including a system for the hearing impaired, a projection system with two projectors so the audience and the Council could easily view visual presentations, upgrades to the lighting system, painting the ceiling soft white, and replacement of the carpet. Staff requested input from the Council regarding the proposal to lower the dais and move it to the north end of the room because the configuration of the dais would dictate the layout for the rest of the improvements to the Council Chambers.

Operations Administrator Randy Dixon presented a slideshow of various proposed layouts. Councilor Melton asked if seating would be lost with the proposed layouts. Mr. Dixon explained seating would be gained with all proposed layouts. Mayor Shoji asked if the podium could be situated so the speaker would not have their back to the audience whereby Mr. Dixon stated the location of podium was not permanent, all seating, tables and the podium could be moved to any configuration. Councilor Vaughan agreed the podium should not be situated in the center of the room; suggested a white ceiling would compress the space; and requested to see other options for the ceiling including leaving it black. Mayor Shoji concurred with Councilor Vaughan's assessment of the black ceiling. Councilor Vaughan also stated his concern regarding easels and other presentation materials only facing the Council. Councilor Muenchrath stated none of the options presented were more inviting, nor were they an improvement to the current Council configuration; suggested the two most necessary changes were to upgrade the existing infrastructure and the addition of projector screens so both the audience and Council could view presentations. Councilor Groth asked how many additional seats would be gained. Mr. Dixon advised 10 to 15 seats. Councilor Groth asked if a screen could be positioned behind the dais if the dais remained in its current position. Councilor Melton stated he preferred lowering the dais and retaining the theatre seating. Mayor Shoji agreed with Councilor Melton's suggestion for lowering the dais and suggested adding two presentation screens. City Manager Rodger Craddock stated the theatre seating was donated to the Dolphin Theatre in Empire. Mr. Dixon stated he would prepare additional designs for the Council's

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consideration. Mayor Shoji pointed out when a presenter used a laptop for a presentation with the current configuration that the laptop and presenter impede the view of audience members sitting on that side of the Council Chambers. Mr. Craddock stated staff was looking into having a system built into the podium so a PowerPoint presentation could be operated and presented from the podium. Councilor Vaughan stated the white ceiling was cost effective and a good green idea but suggested the comfort level provided by a black ceiling should be a consideration; also requested a dry erase board be incorporated into the plan for improvements to the Council Chambers.

### **Appointment to the County Urban Renewal Agency**

City Manager Rodger Craddock stated the County Urban Renewal Agency (CCURA) was comprised of ten people two of which are representatives from the City of Coos Bay, two from the City of North Bend, two from Coos County, two from the Port of Coos Bay, and two citizen at large representatives. Councilors Mike Vaughan and Gene Melton were the City's current representatives on the CCURA. Mr. Craddock advised Councilor Melton's term was due to expire on December 31, 2011. Mayor Shoji moved to re-appoint Councilor Gene Melton to the County Urban Renewal Agency for a term ending December 31, 2013. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

### **Consideration on Approval of a City Street Sweeper**

Public Works and Development Director Jim Hossley stated the City's current street sweeper was purchased new in 2002 and was no longer cost effective to repair due to its condition and age. The purchase of a new street sweeper was not budgeted for this fiscal year because staff believed the sweeper could be used for one more year. Due to heavy use of the machine it experienced accelerated deterioration and was in need of replacement. Staff located a new demonstrator model street sweeper which normally sold for \$212,000 but the manufacturer was willing to sell the City the sweeper for \$150,000 which included a \$25,000 deduction for the trade in value of the old sweeper and a \$37,000 discount for the slightly used condition. Mr. Hossley clarified Enviro-Clean Equipment, Inc. was not listed on the state bidding list as was previously thought and stated Enviro-Clean was on the State of Minnesota Cooperative Procurement List, an entity that met the state and local requirements for the competitive bidding process. Since the purchase was not budgeted in the Major Capital Reserve Fund for fiscal year 2011/2012, staff recommended replacing the purchase of the street sweeper for the budgeted purchase of three other pieces of Public Works equipment which included: a highway roadside mower, a 12 ton rated equipment trailer, and a 72" rotary mower which could be replaced next budget year. The budgeted amount for these three items totaled \$150,000. Councilor Muenchrath moved to approve the purchase of the new 2011 Schwarze A7000 street sweeper for \$150,000 in lieu of purchasing previously budgeted equipment for the Street Department. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

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

No report was given.

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### City Manager's Report

City Manager Rodger Craddock reported the substandard issues affecting the foundation of the Fletcher building were repaired and noted exterior improvements to the building were still ongoing. Mr. Craddock advised permits were being issued to repair the foundation of the Chandler building. Additionally, the City was notified by Oregon Department of Transportation that the City had passed the first round for consideration of receiving grant funds for the Empire Pedestrian Bicycle project. Mr. Craddock reported in an effort to facilitate the seismic retrofit of City Hall, the Police Department and Oregon Liquor License Commission (OLCC) offices were temporarily relocated to the Public Works area of City Hall; Public Works and Oregon Department of Fish and Wildlife (ODFW) offices were moved to four modular structures located in the parking lot at the rear of City Hall. Mr. Craddock stated the City Manager's office, Finance Department, and Council Chambers would be completed last. Mayor Shoji suggested the City's website be updated to include information on the seismic retrofit.

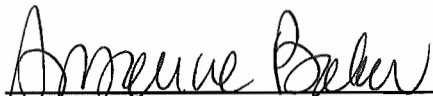
### Council Comments

Councilor Vaughan provided a brief overview of recently attended Parks and Tree Board meetings. Councilor Groth inquired about convening the Wastewater Taskforce to get the community involved in the process. City Manager Rodger asked if the Council was interested in setting a number for how many people were going to be on the taskforce; if there was going to be an application process or if staff should seek out people for the taskforce; and inquired how Council would like staff to proceed or if staff should bring back suggestions on how to proceed. Mayor Shoji stated interested parties could apply but suggested the Council have the right to appoint to the taskforce to insure all parts of the community were represented. Councilor Groth stated she was willing to help with the taskforce. Councilor Melton reported the Egyptian Theatre Preservation Association Board and the Steering Committee were moving forward and making progress on creating a strategic plan and listing priorities for the Egyptian Theatre; wished everyone a Merry Christmas and Happy New Year. Councilor Muenchrath wished everyone a Merry Christmas and a safe and Happy New Year, Happy Hanukkah, and Happy Festivus. Mayor Shoji congratulated Operations Administrator Randy Dixon for being manager of the year; and suggested an area within City Hall be designated to display pictures of City staff being honored for their accomplishments.

### Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for January 3, 2012 in the meeting room at the Coos Bay Public Library.

Attest:

  
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Susanne Baker, City Recorder

  
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Crystal Shoji, Mayor