

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

February 7, 2012

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, Stephanie Kramer, Gene Melton, John Muenchrath, and Mike Vaughan. Councilor Jon Hanson was appointed during the meeting. City staff present were City Manager Rodger Craddock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Economic Revitalization Administrator Joyce Jansen, Public Works and Development Director Jim Hossley, Planning Administrator Laura Barron, Library Director Samantha Pierson, Fire Chief Stan Gibson, and Police Chief Gary McCullough.

City Council Interviews

At 5:15 p.m. prior to the start of the regularly scheduled Council meeting, the Council interviewed Rex Miller, Danny Stoddard, Dennis Dater, Philip Marler, and Christine Coles for three openings on the Planning Commission. Pastor Bill Davis, Howard Forte, and Jon Hanson were interviewed for the one opening of the Coos Bay City Council. No decisions were made.

Flag Salute

Mayor Shoji opened the meeting and asked Gene Melton to lead the Council and assembly in the salute to the flag.

Public Comments

Pastor Bill Davis, Coos Bay: stated he was in the process of forming the Bay Area Dog Park Association in effort to establish a dog park in Coos Bay.

Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of January 17 and 21, 2012; and 3b: approval of ratification of North Bend's appointment to the Coos Bay Library Board. Councilor Muenchrath requested the minutes of January 17, 2012 be brought down to the agenda as item 4a for further consideration. Councilor Muenchrath moved to approve the consent calendar as amended approving the minutes of January 21, 2012, and approving the ratification of North Bend's appointment to the Coos Bay Library Board. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Appointment of City Councilor

City Manager Rodger Craddock stated at the January 3, 2012 Council meeting it was decided by majority vote to fill the Council vacancy through a letter of interest and interview process. The Council interviewed applicants for appointment to the City Council to fulfill Joanie Johnson's

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vacated position. Letters of interest were received from Jon Hanson, Howard Forte, and Pastor Bill Davis. By action of Council ballot the Council appointed Jon Hanson to the City Council to fulfill Joanie Johnson's unexpired term ending November 20, 2012.

Approval of the Minutes of January 17, 2012

Councilor Muenchrath requested the minutes of January 17, 2012 be amended to correct his Council comments because he did not believe he made any mention to the Move to Amend movement and requested the minutes be changed to read: Councilor Muenchrath recognized the seconded anniversary of the Citizens United Supreme Court decision and expressed an interest in drafting a resolution that would demonstrate the City's support to amend the Constitution. Councilor Muenchrath moved to approve the amended minutes of January 17, 2012. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Appointments to the Planning Commission

The Council interviewed applicants for appointment to the Planning Commission to fulfill Christine Coles, Steve Donovan, and Rex Miller's terms which ended December 31, 2011. Applications were received from Christine Coles and Rex Miller for consideration of re-appointment and Dennis Dater, Philip Marler, and Danny Stoddard for consideration of appointment. By action of Council ballot the Council appointed Philip Marler and Danny Stoddard and re-appointed Christine Cole to the Planning Commission for a four-year term ending December 31, 2015.

Administration of the Oath of Office

The oath of office was administered to Councilor Jon Hanson by Finance Director/Recorder Susanne Baker.

Public Hearing to Consider the Proposed Vacation of a Portion of Division Avenue Between Fenwick and Crocker – Approval Would Require Enactment of the Proposed Draft Ordinance

Planning Administrator Laura Barron read the public hearing disclosure. Ms. Barron stated on January 10, 2012 the Planning Commission voted unanimously to recommend approval to vacate the north 15 feet of a portion of Division Avenue located between Fenwick and Crocker Streets. Don Ivy of 756 Sanford Street submitted a request to the City to vacate a portion of Division Avenue between Fenwick and Crocker Streets. Mr. Ivy owned the property abutting the proposed vacation area. Ms. Barron noted the area proposed for vacation was fenced and already being used by Mr. Ivy as yard area which was approved through a Right-of-way Use Permit in March of 1998. Staff determined future development of Division Avenue was unlikely due to the elevation changes and that the remaining south 15-feet of Division Avenue would provide a buffer for the John Topits Park from residential uses. Prior to opening the public hearing Mayor Shoji inquired if there were any objections with the Council considering the proposed vacation on jurisdictional grounds, if there was a conflict of interest with anyone on the Council, or if there had been any ex-parte contact. Councilor Vaughn stated he had spoken with Mr. Ivy about the location of the proposed vacation but felt he could be impartial in making

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a decision; Mayor Shoji disclosed she had visited the site of the proposed vacation. Mayor Shoji opened the public hearing. Don Ivy, 756 Sanford Street: Complimented the Planning Department staff on their professionalism and courtesy throughout the entire process and thanked the Council for their consideration of the proposed ordinance. No further comments were given and the hearing was closed. Councilor Muenchrath moved to enact the ordinance approving the proposed vacation for the north 15 feet of Division Avenue, between Fenwick and Crocker Streets, abutting Lot 9, Plat of Colton Estates. Councilor Melton seconded the motion. Deputy Finance Director Amy Kinnaman read the ordinance by title only and Ordinance No. 444 was enacted by the following vote:

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| Aye: | Mayor Shoji and Councilors Groth, Kramer, Melton, Muenchrath, and Vaughan. Councilor Hanson abstained from the vote 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. |
| Nay: | None |
| Absent: | None |

Semi-Annual Report on the Coos Bay/North Bend Visitor and Convention Bureau by Director Katherine Hoppe

Katherine Hoppe, Director of Promotions and Conventions of the Coos Bay-North Bend Visitor & Conventions Bureau (VCB), provided information on the history of the VCB, public relations, convention packets, and partner representation. Highlights included: hosting a German citizen who wrote a six page article in a German running magazine about Prefontaine, and updating the sports venues within the convention packets. Upcoming events included the Charleston Crab Feed and the South Coast Clambake Jazz Festival. Ms. Hoppe also shared the updated Oregon Adventure Coast website with the Council. Mayor Shoji inquired if the Cities of Coos Bay and North Bend could be highlighted as featured adventures whereby Ms. Hoppe advised the website could easily be updated to include trip ideas or itineraries based on location.

Semi-Annual Report on the Visitor Information Center by Executive Director Timm Slater

Bay Area Chamber of Commerce Executive Director Timm Slater provided information on activities of interest at the Visitors Information Center (VIC) such as tourist inquiries; quarterly visitor counts, activities, Visitor Center displays, and reader board activity. Mr. Slater reported a 78% increase in visitors to the VIC from 2010 to 2011 as well as increased use of the conference room by City and nonprofit groups. The VIC currently operated with 19 regular volunteers but was looking to recruit three additional volunteers to secure two person shifts throughout the week. Goals for 2012 included updating the information binder for volunteers and codifying procedures for training new volunteers, shift startup processes, and regular reinforcement training. Mr. Slater thanked the Council and stated he appreciated the partnership between the City and the Bay Area Chamber of Commerce.

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Approval of a Supplemental Budget Transferring Appropriations Authority Between Budget Categories Within the Same Fund – Approval Would Require Adoption of Resolution 12-03

Finance Director Susanne Baker stated the proposed resolution was a general housekeeping measure to comply with Oregon budget law and ORS 294.450(1) and (3) in the transferring of appropriation authority within the same fund. In fiscal year 2012 funds for the maintenance contract were budgeted in the capital outlay line item, Computer Hardware/Software. Ms. Baker advised maintenance contracts did not meet the threshold to qualify as a fixed asset and should be expensed from a material and service line item. The proposed resolution would transfer \$7,567 budgeted in Capital Outlay, Computer Hardware/Software to Materials and Service, Contractual. Councilor Muenchrath moved to adopt Resolution 12-03. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Groth, Hanson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Award of Contract for Auditing Services

Finance Director Susanne Baker stated in effort to ensure auditing services were competitive and reflective of the current economy; a Request for Proposal (RFP) was solicited from December 14, 2011 through January 17, 2012 for auditing services for the City, Urban Renewal Agency (URA), and the Coos Bay North Bend Visitor Convention Bureau (VCB). The City received proposals from Pauly Rogers and Company of Tigard and Hough, MacAdam, and Wartnik of North Bend. Pauly Rodgers and Company proposed FYE2012 audit fees of \$25,100 for the City, a single audit fee of \$3,500, \$4,600 for the URA, and \$3,400 for the VCB. Hough, MacAdam, and Wartnik proposed FYE2012 audit fees of \$31,065, a single audit fee of \$3,850, \$7,850 for the URA, and \$5,950 for the VCB. Ms. Baker noted the RFP process included a separate, independent review by the Finance Department and the City Manager. Councilor Groth inquired how often the City performed RFP's for auditing services. Ms. Baker advised RFP's for auditing services varied throughout the years but on average it was every six to seven years. Councilor Kramer moved to award the auditing services contract to Pauly Rodgers and Company. Councilor Muenchrath seconded the motion. Councilor Muenchrath stated in the future he would like to see auditing services awarded to a local business. A call for the question was made which carried with Mayor Shoji and Councilors Groth, Hanson, Kramer, Melton, Muenchrath, and Vaughan voting aye.

Approval of a Constitutional Amendment to Overturn Corporate Personhood – Approval Would Require Adoption of Resolution 12-04

Councilor Muenchrath stated in 2010 the Supreme Court solidified Corporate Personhood in their ruling of Citizens United and suggested a corporation was not a human being and was not deserving of the inalienable rights that the Constitution and the Declaration of Independence referred to. Councilor Muenchrath stated he would like a resolution drafted to demonstrate support and signal to state and national representatives that the City supports an amendment to the Constitution to specifically state corporations are not flesh and blood people, they do not deserve inalienable rights, they deserved alienable rights, and money was not necessarily speech. Councilor Muenchrath recommend revising the proposed resolution and bringing it back for consideration at the next Council meeting. Councilor Groth inquired about the City's policy on considering resolutions on national issues as referenced in an email from Rick

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Staggenborg. City Manager Rodger Craddock stated traditionally resolutions were reserved for items that affected the City directly and came from outside the Council. Rick Staggenborg, Coos Bay; thanked the Council for introducing the proposed resolution and suggested Corporate Personhood was an exceptional issue that affected the citizens of Coos Bay because it affected all Americans; stated special interest groups had no business in determining the results of elections. Mark McKelvey, Coos Bay; encouraged the Council to approved the proposed resolution. It was the consensus of the Council to consider the revised resolution at a future Council meeting.

Rondi Potter, Coos Bay; suggested developing the concept of a cultural adventures on the VCB's website. Katherine Hoppe stated she was working on implementing an adventure of Arts and suggested collaborating with Ms. Potter on the concept.

City Attorney's Report

No report was given.

City Manager's Report

City Manager Rodger Craddock delegated his report to Fire Chief Stan Gibson. Mr. Gibson reported at the January 21, 2012 Chamber of Commerce dinner Coos Bay volunteer firefighters were awarded a community service award. Mr. Gibson provided a brief overview of various activities and services the volunteer firefighters provided to the City throughout the year.

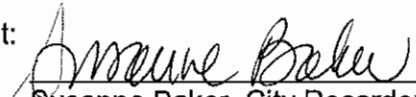
Council Comments

Councilor Groth welcomed Jon to the Council; was grateful for all candidates who applied for the vacant Council and Board positions and encouraged the candidates who were not chosen to continue to look for ways to get involved. Councilor Vaughan stated the County Weed Advisory Board met earlier in the day and reported the Board was working on forming a cooperative weed management area; provided a brief history on the Himalayan blackberry and methods for eradication and suggested Public Works Operations Supervisor Jon Eck could attend the next County Weed Advisory meeting to begin implementing policies for eradication within the city limits. Councilor Melton also welcomed Jon to the Council and inquired about the seismic report on Koos Bay Boulevard. Public Works and Development Director stated there were instruments in the ground to collect data throughout the winter season to determine if ground water was the cause of the problems along Koos Bay Boulevard. Councilor Kramer welcomed Jon to the Council. Councilor Muenchrath requested staff to look into pedestrian crosswalks on Koos Bay Boulevard, noted crosswalks were faded and not properly marked; and congratulated and welcomed Jon to the Council. Councilor Hanson stated he was thankful for the opportunity to serve on the Council; and noted the reason he applied was because he loved growing up in Coos Bay and genuinely cared for the area. Mayor Shoji requested anyone willing to share their pictures of people attending local events, activities, and places within Coos Bay to send pictures to her along with authorization to use the pictures during PowerPoint presentations, on the City's website and possibly on the Oregon Adventure Coast's website; stated the City had a wonderful Fire and Police Department and requested pictures from the departments to incorporate in her PowerPoint presentation and speeches; and requested a Council workshop be scheduled for a Thursday evening to clarify Council goals.

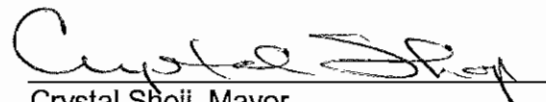
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Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for February 17, 2012 in the Meeting Room at the Coos Bay Public Library.

Attest: 

Susanne Baker, City Recorder



Crystal Shoji, Mayor