

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

August 19, 2014

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, Councilors Brian Bowers, Mark Daily, Jennifer Groth, Stephanie Kramer, Thomas Leahy, and Mike Vaughan. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Intermediate Accountant Debbie Frankenberger, Community Development Director Eric Day, Library Director Sami Pierson, Public Works Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

### **Flag Salute**

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

### **Public Comments**

William Craig Macdonald, Coos Bay: Stated he was homeless, evicted from his apartment at 1925 Newmark because he exercised his right to complain to his landlord, Micaela Caballero, regarding deficiencies in his residence. The building is substandard and he was an excellent tenant who paid his rent on time. Debra Miranda, Coos Bay: Representing Friends of Mingus Park, thanked the Council and Mayor for providing a link on the City's website to Morgan's Veterinary to donate for the animals of Mingus Park. Keith Topits, Coos Bay: Asked if a portion of John Topits Park was for sale and the Mayor responded staff was looking into his concerns.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of August 5, 2014; 3b: acceptance of the July 2014 accounts payable and payroll check registers, and; 3c: acceptance of the July 2014 combined cash report. Councilor Groth moved to approve the consent calendar approving the minutes of August 5, 2014, accepting the July 2014 accounts payable and payroll check registers, and accepting the July 2014 combined cash report. Councilor Kramer seconded the motion which carried with Mayor Shoji and Councilors Bowers, Daily, Groth, Kramer, Leahy, and Vaughan voting aye.

### **New Council Business**

Mayor Shoji stated the Council Promotions committee has met to discuss curbside appeal issues, tourist promotion, the City's website, and cleanup of the Boardwalk, signage, a weed ordinance and a schedule for the flags on Central.

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### **Public Hearing to Consider a Proposed Solid Waste Rate Adjustment – Approval Would Require Adoption of Resolution 14-17**

City Manager Rodger Craddock stated staff received a request for a 1.9% rate increase from Coos Bay Sanitary and Les' Sanitary Services. The increase would result in a \$0.37 cent rate adjustment for a basic 35 gallon cart and would be effective October 1, 2014. Councilor Daily requested an annual report and financial statements from Les' Sanitary and Councilor Groth asked about disposal of household hazardous waste. City Manager Craddock responded an IGA to provide household hazardous waste service was administered by Coos and Curry Counties to provide collection events several times per year. Mayor Shoji opened the public hearing. Joe Neill resides in North Bend and operates a business in Coos Bay stated he would like a recycling committee reinstated, a partnership between businesses and recyclers, and to get the community involved in recycling. Debra Miranda resides in Barview and would be willing to pay for a recycle service. Bill Richardson of Les Sanitary explained the rate adjustment was based on 75% of the 2013 Consumer Price Index (CPI) for Portland-Salem and stated any financial information requested by City would be provided. Councilor Kramer asked if a recycle container was provided free of charge wherein Mr. Richardson responded a bin could be provided, would be included in the garbage rate, and they try to provide the best possible service for the lowest price. No further comments were given and the hearing was closed.

Councilor Daily requested to hold the agenda item until the next meeting to provide time for financial information to be provided. Mayor Shoji stated the agenda item would be placed on the next meeting agenda as requested.

### **Public Hearing to Consider a Proposed Ordinance Prohibiting Unsafe Transfer of Money or Tangible Personal Property on a Highway – Approval Would Require Enactment of the Proposed Draft Ordinance**

Police Chief Gary McCullough provided the Council with a proposed ordinance prohibiting the unlawful transfer of property on a highway or street within the City of Coos Bay; noted the proposed ordinance did not restrict or prohibit those choosing to exercise their constitutional freedoms by engaging in lawful panhandling or those choosing to give tangible property or currency to panhandlers. The ordinance focused on the public safety concern of the transactions being conducted from a motor vehicle and required such transactions to occur in a safer manner. The proposed ordinance would require the driver of the vehicle to legally park prior to engaging in such activity and also provided provisions to those participating in a "pedestrian activity" to obtain an Oregon Department of Transportation (ODOT) permit for such activity.

Mayor Shoji opened the public hearing. Joe Neill, North Bend, stated there were two issues, the homeless and safety, suggested education would be beneficial. Mr. Neill stated he worked with Neighbors in Need which provide a pocket guide of social services. Lynn Melbyer, Coos Bay, suggested establishing a panhandling zone in the City. Debra Miranda, Coos Bay, stated she has a developmentally challenged sister who lives here; stated a pocket guide of benefits would be helpful; and stated people at Walmart make a living by panhandling. No further comments were given and the hearing was closed. Councilor Groth moved to enact the proposed ordinance prohibiting the unsafe transfer of money or tangible personal property on a highway,

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and declaring an emergency. Councilor Kramer seconded the motion. Intermediate Accountant Debbie Frankenberger read the ordinance by title only and Ordinance No. 462 was enacted by the following vote:

Aye: Mayor Shoji and Councilors Bowers, Daily, Groth, Kramer, Leahy, and Vaughan  
Nay: None  
Absent: None

**Approval of an Emergency Sewer Line Replacement Located at Park and Highland Avenues**

Public Works Director Jim Hossley stated a homeowner contacted the City regarding a sewer backup at 294 Highland Avenue. City crews investigated and determined dirt and debris had entered the main line due to a system failure approximately 20 feet down from the private sewer lateral connection. The failed system was located in the vacated portion of N. 3<sup>rd</sup> Street between Park and Highland Avenue and was constructed in 1916 of a 10 inch clay pipe. Further investigation identified numerous deficiencies and failures which needed to be replaced to prevent further damage; approximately 300 feet in length. Mr. Hossley stated the existing pipe was not safely conveying sewer to the downstream system; noted there was potential for soil contamination, additional blockages and backups. Mr. Hossley highlighted the dangers associated with broken sewer lines including potential effect on public health and stressed the urgency for replacing the failed sewer line. Pursuant to the City’s emergency contracting rules, staff requested emergency repair quotes which were anticipated to be received by August 22, 2014. Staff estimated costs would not exceed \$50,000.

Councilor Kramer moved to approved the award of the emergency contract for the sanitary sewer replacement of N. 3<sup>rd</sup> Street between Park and Highland Avenue to the low bidder (yet to be determined) for an amount not to exceed \$50,000 pursuant to the emergency contract rules found in Section 11 of the City of Coos Bay Ordinance No. 365. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Bowers, Daily, Groth, Kramer, Leahy, and Vaughan voting aye.

**Presentation on Highway 101 Banner Use Policy**

Public Works Director Jim Hossley stated in June, the Council requested staff to provide information on Highway 101 banner use including the City’s policy for the use; noting the regulated covered special community event banners which hung over City owned property, the right-of-way and Highway 101. Mr. Hossley stated there were two locations available for hanging banners; one over Southbound Highway 101 (Broadway) just south of Commercial Avenue; second location was at the northwest corner of the City parking lot at the intersection of Commercial Avenue and Broadway. The Council was provided with a copy of the City of Coos Bay Banner Regulations which was last modified by the City Council in June of 2010; at which time the Council modified the language allowing banners over City property.

Mr. Hossley stated a number of organizations utilize the City’s banner poles to display their banners. However, per regulations priority was given to banners for community events held in

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Coos Bay. The highest user of the banner poles was the Farmers Market followed by the Master Gardeners and the Tall Ship event. Mr. Hossley provided the Council with a list of all users over the past 14 months; noted total cost for hanging and taking down a banner was approximately \$200 per banner. Mr. Hossley advised currently the City did not charge to hang/remove banners.

It was the consensus of the Council to defer the discussion to the Council Promotions committee and bring their recommendation to the Council at a future date.

### **Discussion on the Repair of the Tug Boat Irene**

Public Works Director Jim Hossley stated per the Council's request, staff met with Councilors Mike Vaughan and Thomas Leahy to assess the condition of Tug Boat Irene and discuss possible renovation options. It was noted that the tug had deteriorated and there were several boards with dry-rot. Staff recommended to replace dry-rot boards, replace window trim and weather caulk around the windows, and repaint the tug utilizing Rhino Eco-Coat protective coating. Repositioning the tug was also discussed but due to the cost (estimated \$3,600), staff did not recommend repositioning the tug or altering its current elevation. Mr. Hossley noted the project was not funded in the FY 2014/15 budget. If it was the Council's desire to move forward with the proposed project, \$7,500 would need to be re-allocated to cover the estimated cost of the proposed projects.

Discussion commenced on various ways to fund the restoration including volunteers from the community and Boat Building Center and to have the Promotions committee review the display as part of improvements to the Boardwalk which promote tourist activity. City Manager Craddock will have a rendering for future improvements to the Boardwalk. Councilor Vaughan and Leahy were willing to approach the donor of the tugboat to assist in maintaining the Tug Irene. No decisions were made.

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

City Attorney Nate McClintock reminded Council of the City Manager's upcoming evaluation and he would prepare the questionnaire and asked how the Council desired to proceed. Mayor Shoji requested City Attorney McClintock to provide salary comparison information.

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

City Manager Rodger Craddock proposed a new committee, a Joint Library Steering Committee much like the committee created for the restoration of the Egyptian Theatre; stated the Library Board, Friends of the Library, and members of the Council would be included as we move forward to find a future home for the Library. Mr. Craddock stated staff conducted an analysis of building code and planning fees due to declining revenues and would be discussing the fee structure at a Council Finance Committee meeting. Mr. Craddock stated he would be at a labor conference this week and Chief McCullough would be in charge.

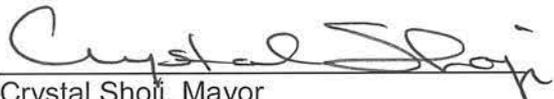
### **Council Comments**

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Councilor Vaughan received an email from the harbormaster regarding salmon fishing season on and near the city docks, discussed violations of the no wake zone near the docks, and suggested a maintenance plan for the Tug Irene. Mr. Craddock would discuss the no wake issue with the Port of Coos Bay; Public Works Director Jim Hossley stated the fishing issue would be presented to the Parks Commission. Councilor Groth suggested a method on how to approach a Community Enhancement Plan to keep the Council informed and to manage proposals in their presentation to Council. Councilor Kramer thanked City Manager Craddock regarding the work done on the bump outs in Empire and suggested a plan for flowers in the bump outs. Councilor Leahy stated the South Coast Community foundation had met and advertised for three members at large; he would be attending the Festival of Sail in San Diego this weekend. Councilor Bowers thanked City staff for their work for the Big Kahuna Swim Meet. Mayor Shoji stated she received many responses regarding the flags on the boardwalk and would forward the information to the council committee for a recommendation to the Council.

### Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for September 2, 2014 in the Council Chambers at City Hall.

  
Crystal Shoji, Mayor

Attest:

  
Susanne Baker, City Recorder