

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 9, 2017

The minutes of the proceedings of a City Council and Urban Renewal Agency work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 p.m. in the meeting room at Fire Station 1, 450 Elrod Avenue, Coos Bay, Oregon.

### **Those Attending**

Those present were Mayor Joe Benetti and Councilors Drew Farmer, Stephanie Kilmer, and Phil Marler. Councilors Lucinda DiNovo, Jennifer Groth, Stephanie Kramer were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Public Works and Community Development Director Jim Hossley, Community Development Administrator Tom Dixon, and Police Captain Chris Chapana.

### **Public Comments**

John Wayneska, CH2M/OMI project manager, announced the 19<sup>th</sup> annual fish release into Blossom Gulch Slough near the Blossom Gulch School.

### **An Ordinance to Amend the Development Code to Allow Marijuana Processing in the Industrial-Commercial (I-C) District**

Community Development Administrator Tom Dixon stated Coos Bay voters approved a ballot measure to allow marijuana-related uses within the City limits. On December 8, 2016, when the ordinance became effective, dispensaries were considered a retail activity and an allowed use in all commercial districts in the City. However, the City Council placed a six-month moratorium on marijuana processing activities in order to allow staff time to research the issue and to examine how other communities had dealt with marijuana processing. Consideration of allowing marijuana processing involved two sections of the City of Coos Bay Land Development Code (CBMC Title 17). Under Section 17.140.010 Definitions, a new entry would need to be added describing marijuana processing as it pertained to land use activity. In addition, alterations to Table 17.220.030 would be required to add marijuana processing to the I-C use matrix. These two changes would be inserted into the adopted Land Development Code to identify marijuana processing as both a defined and permitted use. The Planning Commission considered this issue and recommended approval on a vote of 5-1. Discussion regarding odor in the processing of marijuana convened with consensus that any resulting odors that should occur could be dealt with through regulations. Mr. Dixon stated he would check with Eagle Point regarding their experience.

### **After-the-Fact Approval of Two Emergency Sanitary Sewer Repairs in North Empire**

Public Works and Community Development Director Jim Hossley stated in April two sinkholes formed in North Empire located at the intersections of Lakeshore Drive/North Morrison Street and Seagate and Margaretta. After the CH2M/OMI collections crew investigated, both sinkholes were determined to be the cause of failed storm sewers. Additionally, during the investigation, the sinkholes were actively growing larger. Due to the emergency nature of the sinkholes, staff direct appointed Johnson Rock Products to repair the damaged storm sewers. Johnson Rock mobilized and completed all of the repairs.

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At the next regular Council session, staff would request Council to consider approving the emergency direct appointment award of the emergency storm sewer repairs (after-the-fact) at the intersection of Lakeshore Drive/North Morrison Street and Seagate Street Margaretta Street to Johnson Rock Products pursuant to the Emergency Contract rules found in Section 11 of City of Coos Bay Ordinance No. 365.

### **Adjusting of Sewer Rate Fees by Resolution 17-07**

Public Works and Community Development Director Jim Hossley stated the City of Coos Bay Budget Committee concluded the FY 2017-2018 budget hearings in April which included a 6.4% increase in sewer user rates. In order to implement the sewer user rate adjustment commencing with the June 2017 billing cycle, Resolution 17-07 would need to be approved. The sewer fee portion on the Coos Bay- North Bend Water Board billing would increase, based upon the rate study average use of 560 cubic feet per household, approximately \$3.63 per month. The revenue would provide funding for sewer line replacements, pump station rehabilitations, storm drain repairs, and the capital improvements at both wastewater treatment plants. Rates were not raised last year. The last rate increase was 6.5% in May 2015 and a comparison of other community's rates was provided. Approving the resolution in May would provide the Coos Bay North Bend Water Board time to change their computer programming and provide a full 12 months of billings at the adjusted rate. Discussion occurred regarding urban growth boundary expansion, sewer use customers who do not have a Coos Bay North Bend Water Board account, future Plant 1 capital expenses, and how many miles of sewer line were maintained. Consensus was for staff to provide information on urban growth boundary expansion.

### **Approval of Contract for Supervisory Control and Data Acquisition (SCADA) Integration Services for Wastewater Treatment Plant No. 2**

Public Works and Community Development Director Jim Hossley stated due to the proposed upgrades of the treatment plants and pump stations, staff recommended there be continuity with the Supervisory Control and Data Acquisition (SCADA) programming associated with these improvements/upgrades. As a result, the City requested qualifications for SCADA services in late 2014. The City awarded a contract to CH2M to perform SCADA services and act as the City's Integrator of Record (IOR) on February 3, 2015. The contract period was through February 2020 with an option to renew to 2021. The City awarded a contract to Mortenson Construction on December 6, 2016 to construct the new Wastewater Treatment Plant No. 2. SCADA services were not included in the Mortenson contract, which was not uncommon. An amount of approximately \$400,000 was budgeted for this work and presented to the Council March 15, 2016. Staff negotiated an actual contract amount of \$359,251 with CH2M.

### **Confederated Tribe's Request to Plant Wapato in John Topits Park**

Public Works and Community Development Director Jim Hossley stated the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians (CTCLUS) was actively working to revitalize the population of traditional food staples, wapato, within the waterways of their aboriginal territory. The southern boundary of the combined claimed territory was north of Bandon at Whiskey Run to just north of Heceta Head at 10-Mile Creek, east all the way to the mountain range. Wapato (aka Indian potato) Sagittaria/atifo/ia was an aquatic plant their ancestors harvested regularly as a food staple. For a number of years the Tribes cultivated a

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few small patches and had a good source to draw from for transplanting, but not enough to consume regularly. The CTCLUS Culture and Natural Resources Department presented to the Parks Commission a request to plant the Wapato plant along the Empire Lakes in John Topits Park. The Tribe was interested in providing details and history about wapato and its use by the Tribes through the use of outdoor interpretive signs for educational purposes. This would expand the interpretive education offered at the park. The Tribes hoped this would set up the prospect of more culturally significant plants with a local cultural history to be highlighted in other parks/areas in the future. Discussion convened on including in the agreement the Tribe's responsibility to control the spread of the plant and to defer any liability back to the Tribe if harvested.

### Other Business

City Manager Rodger Craddock stated the main coordinator of the Memorial Day parade had passed away and staff would be looking to the public to come forward to continue the event. Mr. Craddock advised of the award of a federal grant for approximately \$250,000 to replace the self-contained breathing apparatus (SCBA) for the Fire Department. Mr. Craddock stated the grant to purchase the American Building did not come to fruition and South Coast Development Council (SCDC) would be looking for a project. The Downtown Association, through the Main Street program, applied for a \$100,000 elevator grant for the American Building and was awarded, but now was unable to apply it to the American Building. All entities were working on moving the funds to another project which could be the nearby bank building. Mayor Benetti discussed the possibility of updating ordinances, similar to Astoria, to help facilitate upkeep of the dilapidated downtown buildings. City Manager Rodger Craddock stated the new owner of the Central Dock property had requested some help to develop the property which would require a Phase 2 environmental assessment through the City's Brownfield's grant. Another possibility would be working with Oregon Department of Transportation for a grant to access the property.

### Adjourn

There being no further items for discussion, Mayor Benetti adjourned the work session. The next regular Council meeting was scheduled for May 16, 2017 in the Council Chambers at City Hall.

Attest:

  
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Susanne Baker, City Recorder

  
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Joe Benetti, Mayor