

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 5, 2019

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held at 7:00 pm in the Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Council President Phil Marler and Councilors Drew Farmer, Stephanie Kilmer, and Carmen Matthews. Mayor Joe Benetti and Councilors Lucinda DiNovo and Rob Miles were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Library Director Sami Pierson, Public Works and Community Development Director Jim Hossley, Community Development Administrator Carolyn Johnson, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

Flag Salute

Council President Marler opened the meeting and led the Council and assembly in the Salute to the flag.

Public Comments

Phil Thompson, Coos Bay stated he attended a recent Coos County Board of Commissioner's work session where they discussed the Community Enhancement Plan and Waterfront Development Partnership regarding the Jordan Cove Energy Project and he suggested the funds received by the City be pledged towards funding road improvements, rather than the addition of a transportation user fee for all residents to pay. Denny Powell, Coos Bay stated there would be a Public Utility Commission (PUC) meeting on Friday, March 8, 2019 and brought a petition signed by 75 citizens who were against the Pacific Power's smart meter opt-out fees. City Manager Rodger Craddock stated the petition would be forwarded to the PUC on behalf of Mr. Powell.

Consent Calendar

Council President Marler reviewed the consent calendar which consisted of:

- 3a: Approval of the City Council minutes of February 5, 2019
- 3b: Acceptance of the January Payroll and Accounts Payable Check Registers
- 3c: Acceptance of the City January Combined Cash Reports

Councilor Kilmer moved to approve consent calendar as presented. Councilor Farmer seconded the motion which carried. Ayes: Farmer, Kilmer, Marler, Matthews. Absent: Benetti, DiNovo, Miles.

Report by Marshfield High School Key Club Member

Marshfield High School (MHS) Key Club representative Sofia Munoz summarized upcoming Key Club activities, shared various ongoing fundraising activities and achievements by various MHS clubs, committees, and athletic teams.

Presentation of an Appreciation Plaque for Dan Crutchfield

Fire Chief Mark Anderson presented Fire Battalion Chief Dan Crutchfield with a plaque in appreciation of his over 26 years of devoted service to the City of Coos Bay and the Coos Bay Fire Department.

Presentation of Coos Bay Shakespeare in the Park

Coos Bay Shakespeare in the Park group member Nick Furman presented background history of the group and update on their production plans for the July 2019 presentation of "As You Like It" in Mingus Park. The group board was pursuing grants, support for their fundraising campaign, and requested the possibility of having access to the furnace room below Mingus Pool if there was space for additional storage of set and materials, usage of lower parking lot to place a trailer for storage, and/or during rehearsals have access to the outdoor pool restroom. City Manager Rodger Craddock stated staff would discuss the request for assistance and follow-up with the group.

Consideration of Feasibility Study and Bond Survey for New Library Facility

Library Director Sami Pierson highlighted the current facility structural problems and gave recap from presentation given at the January 8, 2019 work session meeting. The next step for a new library facility was to conduct a funding feasibility study and a bond survey. The feasibility study would help determine the potential level of private and potential grant funding, and also be used as an opportunity to educate the public regarding the current situation with the building. Feedback would provide information such as perceptions of a new facility and details capital campaign group could utilize, as well as guide the public information campaign.

The bond survey would sample residents within city limits. Phone surveys would help determine support for a bond and at what level. Additional surveys could be added to reach people who live outside the city limits but are within the library's service area in regard to private contributions if the information would be helpful.

Ms. Pierson stated these types of studies are standard for large capital projects in order to make the process as effective as possible. For instance, the City of Springfield recently completed a funding feasibility study and a bond survey for the process of replacing their library facility. They were able to use the feedback to hold community meetings that answered many of the frequently asked questions and continue to educate the public about their process. Community responses are also being used to finalize building plans and other needs.

The Library Steering Committee recommended the Council proceed with the feasibility study and telephone bond survey by authorizing the City Manager to contract with

appropriate firms, not to exceed \$30,000. Timeline was estimated with a contract awarded in May 2019, feasibility study would begin in June 2019, phone survey would begin September 2019, and analysis would be completed in November 2019. Council suggested an additional online survey added to the process. Council consensus to authorize the City Manager to move forward with contracting for a feasibility study and telephone bond survey.

Approval of the Proposed Ordinance Establishing Vacant Property Registration Regulations – Approval Would Require Enactment of Ordinance

Community Development Administrator Carolyn Johnson stated the Homeless Task Force and staff have worked since 2018 to identify a process that would require foreclosed and vacant properties to be maintained. Patterned after the city of Medford prototype, but tailored to the city of Coos Bay's needs and resources, the group developed draft regulations titled "Coos Bay Vacant Property Registration". If adopted these regulations would compel property maintenance and become a part of the Coos Bay Municipal Code (CBMC) Health and Safety Chapter 8, Section 8.55.

Ms. Johnson stated the draft regulations identified procedures and requirements for vacant properties to be adequately secured and maintained. Among other requirements, upon borrower default, the financial institution with property title would inspect the property to determine vacancy. Registration of the property (at no charge) would be required and filed with Chief of Police or designee. On-going maintenance and monthly inspection by lender/owner (or designee) would also be required. The registration would be valid for one year and a new registration required annually if the property remained vacant (Sections 8.55.030 and 8.55.040).

Additionally, Ms. Johnson shared the draft regulations included maintenance and safety requirements specific to a property's building and grounds (8.55.050). Each property would be required to have posted a large sign visible with a direct 24 hour a day contact name for persons to report problems or concerns (8.55.060). The Chief of Police would have the authority to require extra measures of maintenance and safety measures (8.55.070), and a property owner would have the right to appeal the measures (8.55.090). Failure to comply with the regulations would result in prosecution under the city's Public Nuisance Chapter 8.10 penalties, including fines up to \$5,000 (8.55.080). While the draft regulations were developed to address abandoned residential properties, the regulations would also apply to non-residential properties.

Currently city staff cannot confirm ownership, confirm if people living at property legally, or get authority to enter a vacated property; the ordinance would give the city contact information as the county website may not have received the most current owner information especially in instances of property in foreclosure or if owner was deceased. The ordinance would require mortgage lenders to give contact information as well.

Council President Marler opened the public hearing. No comments were made and the hearing was closed.

Councilor Farmer moved to enact the proposed ordinance establishing vacant property registration regulations, codified as Coos Bay Municipal Code, Title 8 (Health and Safety Code) Section 8.55. Councilor Kilmer seconded the motion. Deputy Finance Director

Melissa Olson read the ordinance by title only and Ordinance 509 was enacted by the following vote:

Aye: Farmer, Kilmer, Marler, Matthews.

Nay: None.

Absent: Benetti, DiNovo, Miles.

Discussion of a Transportation User Fee

Public Works and Community Development Director Jim Hossley stated over the past several months the Council held several work sessions and regular Council meetings in order to obtain public input on the Transportation User Fee (TUF), with focus on implementing a flat \$10 per month TUF. Council also explored a \$15 or \$20 TUF for commercial properties. A \$10/\$15 combination TUF would generate an additional \$40,200 per year. A \$10/\$20 TUF combination would result in an additional \$80,400 per year (\$402,000 in five years) over the \$10 only TUF. Staff provided a spreadsheet of potential projects that could be completed with a \$10/20 TUF over the next five years. City Manager Rodger Craddock stated he had not received any feedback from Bay Area Chamber of Commerce (BACC) or business community yet.

Council would need to adopt an ordinance for establishing the TUF and approve a resolution setting the fees. Three different resolutions for the proposed combination \$10/\$10, \$10/\$15, and \$10/\$20 would be provided for Council consideration at the March 19, 2019 Council meeting.

Council President Marler opened to public comments. Rick Shearer, Coos Bay stated he did not believe a \$20 TUF on commercial property was fair for the \$10 residential properties and should be higher. Robert Moore, Coos Bay asked if there were other pending increases to the water bills as well, stated concern for those on a fixed income, and thought the Council should phase-in the fee since they were also asking for library facility support. City Manager Rodger Craddock stated the fee would be placed on the water bills for collection, there was no other increase to the water bills. Councilor Marler stated the fee had been discussed for the past four months to get feedback from the community and Council did not want to raise the fee each year which focused the discussion on \$10 residential TUF, rather than a lower rate to start with.

City Manager's Report

City Manager Rodger Craddock stated the City was moving forward with projects and presented the Council with the signed agreement with Rock Face, LLC. The City had also sent a draft development agreement to Tahoe Pacific Capital, LLC for housing development in the Empire District.

Council Comments

Councilor Farmer stated he had received questions from the community regarding the Traditional Cultural Property (TCP) Historic District and encouraged the community to discuss with the Confederated Tribe and other groups to get more information and learn more. Councilor Matthews thanked Dan Crutchfield for his service and wished him luck, thanked the Coos Bay Shakespeare in the Park group for sharing with the community,

thanked the Library Board and Steering Committee for all their work on the new facility project, and was excited to be a part of all the projects moving forward. Councilor Marler stated there was always something happening at Mingus Park, especially in the summer, and was encouraged by all the community support.

City Manager Rodger Craddock stated the Urban Renewal Agency (URA) meeting scheduled for March 5, 2019 was to allow for a presentation on the Egyptian Theater by Egyptian Theatre Preservation Association; however, the spokesperson could not attend the meeting so the URA meeting was cancelled.

Adjourn

There being no further business to come before the Council, Council President Marler adjourned the meeting. The next regular Council meeting was scheduled for March 19, 2019 in the Council Chambers at City Hall.



Phil Marler, Council President

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder