

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 18, 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 City Hall Council Chambers 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, Phil Marler, Carmen Matthews, and Rob Miles. City staff present were City Manager Rodger Craddock, Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Assistant Library Director Ellen Thompson, Public Works and Community Development Director Jim Hossley, Community Development Administrator Carolyn Johnson, Police Chief Gary McCullough, and Fire Battalion Chief Jeffery Adkins.

Council Interviews

At 5:40 p.m. prior to the start of the regularly scheduled Council meeting, the Council interviewed applicants for the Library Board and Tree Board. No decisions were made.

Flag Salute

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

Public Comments

No public comments were given.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of minutes of June 4, 2019
- 3b: Approval of minutes of June 11, 2019
- 3c: Acceptance of May 2019 Check Registers
- 3d: Acceptance of May 2019 Financial Reports
- 3e: Acceptance of Bay Area Hospital Community Foundation Grant
- 3f: Acceptance of a Jordan Cove-Pacific Connector Grant

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

Public Hearing to Consider a Proposed Vacation of a Portion of Bay Street – Approval Would Require Enactment of the Draft Ordinance

Public Works and Community Development Director Jim Hossley stated as a part of negotiations for purchase of city property located near the Coalbank Slough Bridge, a vacation of “Bay Street” was proposed. This section of the street is platted one-block in length, and was located east of South Front Street and terminated at the Coal Bank Slough. In April 2019, the City Manager discussed the purchase of the City owned tax lot 6700 with the property owner to the south in conjunction with the vacation of Bay Street. April 16, 2019, the City Council agreed to initiate the vacation process; the Planning Commission reviewed the proposal and recommended Council approve the request and enact the vacation ordinance. All abutting property owners provided notarized consent, the International Port of Coos Bay approved the proposed vacation, and an easement over the area was included in the ordinance to accommodate the Pacific Power utility line located in the northeast portion of Bay Street. Upon approval, the City agreed to sell tax lot 6700 for \$5,000 for greater development potential of the area.

Mayor Joe Benetti opened the public hearing for public comments. No comments were made and the public hearing was closed.

Councilor Marler moved to enact the proposed ordinance on the vacation of Bay Street, East of the South Front Street right-of-way. Councilor Kilmer seconded the motion. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 514 was enacted by the following vote:

Aye: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.
Nay: None.
Absent: None.

Public Hearing on a Proposed Ordinance for Temporary Lodging Facilities - Approval Would Require Enactment of the Draft Ordinance

Community Development Administrator Carolyn Johnson stated on June 11, 2019, Council requested at least two public hearings on the draft ordinance and a map identifying potential temporary lodging locations. Also requested was the feasibility of adding a penalty for violations of a temporary lodging permit and bond for permit related damages included in the draft ordinance, sections 8.45.040 Bonding and 8.45.070 Penalty. The Homeless Work Group suggested facilities be 500 feet from schools, parks, child care facilities, and churches.

Mayor Joe Benetti opened the public hearing for public comments. No comments were made and the public hearing was closed. Council requested the map of potential locations be presented for the public during the public hearings and posted on the City website.

Councilor Farmer moved to continue the hearing through July 2, 2019 and decision to be made on July 16, 2019. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Approval of Appointments to the Library Board and Tree Board

City Manager Rodger Craddock stated the City received two applications for appointments to the Library Board to fulfill two openings on the Board. Applications were received from Peggy Christensen and Robert (Bob) More. By action of Council ballot the Council appointed Peggy Christensen and Robert (Bob) More for four-year terms ending June 30, 2023.

Five applications were received for appointment to the Tree Board to fulfill four openings on the Board. Applications were received from Merideth Childs, Blair Holman, Haley Lagasse, Rex Miller, and Tracy Pierce. By action of Council ballot the Council appointed Merideth Childs, Blair Holman, Haley Lagasse, and Rex Miller for four-year terms ending June 30, 2023.

Councilor Marler recused himself from the vote as he was not present for the interviews.

Approval of the City Fee Adjustments - Approval Would Require Adoption of Resolution 19-13

Finance Director Nichole Rutherford stated each year the City's fee schedule was reviewed for potential increases to fees, staff performed a cost analysis of services to determine the necessity of an increase to fees to ensure the cost of providing a service was fully covered by the individual requesting the service. In addition to the fee increases, administrative revisions were made for consistency with state law, as well as, for improving ease of reading. Council requested clearer language regarding Cultural Resources to reference Statewide Planning Goal 5 compliance.

Councilor DiNovo moved to adopt Resolution 19-13 as amended to adjust the City's fee schedule. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Consider Approval of a Supplemental Budget to Appropriate Funds in the Gas Tax Fund and Hotel/Motel Tax Fund - Approval Would Require Adoption of Resolution 19-14

Finance Director Nichole Rutherford stated it was anticipated during the fiscal year that several supplemental budgets would be brought forward to the Council for consideration to adjust the budget based upon operational needs. Reasons for a supplemental budget include appropriating grant funding not included in the budget, appropriating additional carryover balance from the prior fiscal year that was more than budgeted and needed to meet operational needs, reallocating funds within categories, and appropriating new funds.

A supplemental budget is needed at this time to transfer appropriation within categories in the Gas Tax Fund by moving appropriation authority from Capital Outlay into Street Maintenance (Operations) due to additional expenditures for street lights and traffic safety materials within the Operations category and no planned expenditures within the Capital Outlay category; and within the Hotel/Motel Tax Fund by increase appropriations for additional lodging tax revenues received as a result of the recent tax rate increase and by moving appropriation authority from the Contingency category into the Tourism Promotions Program (Operations)

category due to increased costs for special projects.

Councilor Kilmer moved to adopt Resolution 19-14 to adopt a supplemental budget to transfer appropriations within the Gas Tax Fund and the Hotel/Motel Tax Fund to increase appropriations for special projects. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Consideration of Approval of Additional Costs Associated with the City's Wastewater Operation and Maintenance Contract

Public Works and Community Development Director Jim Hossley stated Jacobs was the City's operations and maintenance (O&M) contractor for the wastewater collection system and treatment plants. Annually, an O&M fee is negotiated along with a scope of work. This fiscal year there were two items that fell outside of Jacobs' scope of work that Jacobs was seeking compensation for the setup and chemicals for Wastewater Treatment Plant 1 (WWTP1) Chemically Enhanced Primary Treatment (CEPT) for a total amount not to exceed \$16,600 and chemical costs would be worked into the overall annual contract for the next fiscal year; and \$36,000 for additional work for Wastewater Treatment Plant 2 (WWTP2) startup and decommissioning of the old plant. It was anticipated \$36,000 would be recovered from the construction contractor that was responsible for constructing WWTP2. The total out of scope compensation that Jacobs was requesting was approximately \$51,600.

Councilor DiNovo moved to approve the out of scope items for Jacobs and authorize the payment of no more than \$51,600 for services associated with the setup and chemicals for Plant 1 chemically enhanced primary treatment (CEPT) and Plant 2 salvage, decommissioning, and startup. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Approval of Purchase of Asphalt Grinding Equipment

On May 14, 2019, City Council expressed concern regarding the blade patching versus other methods of pothole/street repair for the 2019 summer street maintenance projects. Staff explored alternatives, along with the input of two industry experienced community members, and determined City staff had the abilities to do the grinding work with the proper equipment. On June 11, 2019, Operations Administrator Randy Dixon shared the cost savings associated with having City staff prepared the potholes or alligatored areas by grinding and a contractor providing asphalt only, versus contracting out all the work.

Public Works and Community Development Director Jim Hossley requested City Council consider purchase of asphalt grinding equipment in support of the City's Pavement Maintenance Plan. The equipment would include a FT-16 IT-I Drop Deck Trailer to transport equipment, and a 299D3 XE Compact Track Loader with attachments: cold planer, broom, front bucket, pallet forks, and stump grinder. The cost for the street grinding equipment would not come out of the Transportation Utility Fee (TUF), but would be coming from the timber harvest funds.

Councilor Matthews moved to approve the purchase of asphalt grinding equipment through the State of Oregon Purchasing (ORPIN) in the amount of \$139,797.80. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Approval of DEQ State Revolving Fund for Pump Station 17/Force Main Project – Approval Would Require Adoption of Resolution 19-12

Public Works and Community Development Director Jim Hossley stated the City's Pump Station 17 and Force Main project State Revolving Fund Loan Agreement section titled "Article 4: Conditions to Loan" stated the city had a resolution of the governing body of the borrower authorizing the execution and delivery of the agreement. Council approved the loan at the June 4, 2019 meeting; however, no resolution was included.

Councilor DiNovo moved to adopt Resolution 19-12 authorizing and approving a state revolving fund loan agreement to finance the Pump Station 17 and Force Main project. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

City Manager's Report

City Manager Rodger Craddock stated he just returned from vacation and it was interesting to see how other municipalities took care of streets and homelessness issues. June 20, 2019 at 5:00 p.m. at the Hollering Place would be the Hollering Place Deed transfer ceremony. The Community Enhancement Plan (CEP) Work Group was scheduled to meet on June 27, 2019 and would be discussed at the June 25, 2019 Council meeting to confirm the direction of the Council.

Council Comments

Councilor Miles stated the City contributes to the Boys and Girls Club summer program, gave an update on the the upcoming programs, and offered to give a report of activities at Council meetings. Councilor Kilmer gave an update on the Got Talent showcase in July at the Egyptian Theatre and shared the Coos Bay Downtown Association commended Carolyn Johnson for her work with the Economic Vitality Committee. Councilor DiNovo thanked the candidates that applied for the board openings and noted on June 28, 2019 the Coquille Tribe would be celebrating 30 years of being Federally restored. Councilor Marler stated he appreciated the work the Homeless Work Group had accomplished. Councilor Matthews thanked the Homeless Work Group, was excited for the funding options and projects happening in the City, and shared a fundraiser held at 7 Devils Brewing Co. with \$1 of every pint of 500 gallons of beer starting June 21, 2019 going to a fund for the Coos Bay and North Bend Fire Departments. Councilor Farmer stated League of Oregon Cities (LOC) board met June 14, 2019 and he shared Coos Bay's progress with vacant property and property watch ordinances, a new LOC website was launched June 25, 2019, LOC was working on their equity and inclusion statements with increased efforts to bring diversity to the board, and to ask people if they were interested in joining any section of their local government. Mayor Benetti stated he would be gone the week of June 24, 2019, thanked Councilor Kilmer for filling in at Hollering Place ceremony for him, new Sause Brothers tugboat unveiled on June 28, 2019 at 4:00 p.m., encouraged attendance at the Community Enhancement Plan (CEP) meeting on June 27, 2019, requested consent from Council to send personal letter for an alternate CEP proposal to split four ways in lieu of being present to speak at the CEP meeting for public comments. Council stated they were comfortable with Mayor Benetti presenting a letter in lieu of speaking during public comments at the CEP meeting.

Executive Session

Deputy Finance Director Melissa Olson read the executive session meeting disclosure statement. An executive session was held pursuant to Oregon Revised Statute (ORS) 192.660 (2) (i) for the purpose of evaluating the job performance of the City Manager. No decisions were made.

The City Council reconvened at 8:44 p.m.

Council discussed the City Manager's salary based on the performance review and comparison to other municipalities. Councilor DiNovo moved to increase City Manager's salary from Step Five \$12,589 to Step Six \$13,218 in the City of Coos Bay salary schedule. Councilor Farmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Councilor Marler asked if the cell phone allowance and car allowance were adequate. City Manager Rodger Craddock stated the cell phone allowance was a set amount across the City as all the department manager's use their phones to conduct City business and the car allowance was acceptable as he received mileage if traveling outside of Coos County for City business.

Councilor DiNovo moved to amend the City Manager's merit increase to retro active effective back to October 1, 2018 and requested the City Attorney on an annual basis in October send out the City Manager review. Councilor Matthews seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Adjourn

There being no further business to come before the Council, Mayor Benetti adjourned the meeting. The next regular Council meeting was scheduled for July 2, 2019 in the Council Chambers at City Hall.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder