

## MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

June 17, 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, Jennifer Groth, Thomas Leahy, and Mike Vaughan. Councilors Mark Daily and Stephanie Kramer were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Community Development Director Eric Day, Library Director Sami Pierson, Public Works Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

### City Council Interviews

At 6:00 p.m. prior to the start of the regularly scheduled Council meeting, the Council interviewed applicants for the South Coast Community Foundation and Library Board. No decisions were made.

### Flag Salute

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

### Public Comments

Nelda Villamar, Coos Bay: stated her neighbor currently owned ten dogs; recently witnessed four of her neighbor's dogs attack and kill her other neighbor's dog; requested the Council consider implementing an ordinance limiting the amount of dogs per household/residence. Lorie Fish, Coos Bay: stated her neighbor's dogs killed her dog; suggested her neighbor's dogs were living in deplorable conditions; suggested City code should include a standard of care required of pet owners.

### Consent Calendar

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of June 3, 2014; 3b: acceptance of the May 2014 accounts payable and payroll check registers; 3c: acceptance of the May combined cash report, and; 3d: approval of OLCC annual license renewals for 7-Eleven Store #2363-17090C, Bassett-Hyland Energy Company, Bayshore Chevron, Benetti's Italian Restaurant, Best Western Holiday Motel, Blue Heron Bistro, Blue Moon Saloon and Café, Coos Bay Grocery Outlet, Coney Station Inc., Dave's Pizza, Eagles Lodge #538, Fred Meyer, Gooney's Sports Bar, Kum Yon's Restaurant, Margarita's Mexican Grill, Puerto Vallarta Restaurant, Safeway Store #1556, and Sharkbites Seafood Café. Councilor Groth moved to approve the consent calendar approving the minutes of June 3, 2014, accepting the May 2014 accounts payable and payroll check registers, accepting the May 2014 combined cash report, and approving OLCC annual license renewals for 7-Eleven Store #2363-17090C, Bassett-Hyland Energy Company, Bayshore Chevron, Benetti's Italian Restaurant, Best Western Holiday Motel, Blue Heron Bistro, Blue Moon Saloon and Café, Coos Bay Grocery

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Outlet, Coney Station Inc., Dave's Pizza, Eagles Lodge #538, Fred Meyer, Gooney's Sports Bar, Kum Yon's Restaurant, Margarita's Mexican Grill, Puerto Vallarta Restaurant, Safeway Store #1556, and Sharkbites Seafood Café. Councilor Leahy seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **New Council Business**

Councilor Vaughan asked staff look into repairing or removing the clock in the downtown since it was no longer in working condition. City Manager Rodger Craddock stated staff was aware of the clocks condition; noted parts needed to be ordered. Councilor Vaughan stated he wanted to revisit the Boat Building Center rehabilitation of Tug Boat Irene whereby Mr. Craddock stated members of the Boat Building Center did not think the project was within their purview. Councilor Leahy stated he attended a planning session with the Downtown Association and noted local businesses expressed concern about the homeless persons in the downtown.

### **Presentation of an Appreciation Plaque for Steve Metz**

Library Director Sami Pierson stated Steve Metz served on the Library Board from January 2005 through June 2014. Ms. Pierson and Mayor Shoji presented Mr. Metz with an appreciation of service plaque. Mr. Metz stated it was his pleasure to be a part of the Library and serve on the Library Board.

### **Consideration of Appointments to the Library Board**

Library Director Sami Pierson provided a brief history of the Library Board; noted applications were received from Teri Jones and Deborah Ross for two openings on the Library Board. By action of Council ballot the Council reappointed Teri Jones and appointed Deborah Ross to the Library Board, each to four-year terms ending June 30, 2018.

### **Appointments to the South Coast Community Foundation Board of Directors**

City Manager Rodger Craddock stated based on Council's direction at the May 20, 2014 Council meeting, staff set up and advertised an application process for persons interested in consideration for the director appointment to the South Coast Community Foundation (SCCF); Mayor Shoji volunteered to serve on the SCCF Board on an interim basis until a representative was chosen. During the June 3, 2014 meeting, Council discussed the possibility of appointing a council member to the position as the other Bay Area Enterprise Zone members had assigned elected or appointed representatives from their organizations, and as Councilor Leahy had expressed interest to serve in the position. Staff received one application for appointment from James Martin which was submitted after the application deadline had passed. Councilor Groth moved to appoint Thomas Leahy as the City's Director Representative to the South Coast Community Foundation Board of Directors. Councilor Vaughan seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

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### **Approval of Appointment of Doug Wuerth as a Coos Bay Representative to the Coos County Library Board**

Library Director Sami Pierson stated the City of Coos Bay selected two of the seven-member County Library Board; one representing the area inside city limits and one representing the area outside but within School District 9. Doug Wuerth was approved to fill an unexpired term at January 7, 2014 City Council meeting. Recently, the Coos County Library Board of Trustees recommended the reappoint of Mr. Wuerth for a full four year term. Mayor Shoji moved to approve the Library Board's recommendation of appointment of Doug Wuerth as the out-of-city representative to the County Library Board to serve a term ending June 30, 2018 and to forward the selection to the North Bend City Council for ratification. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Presentation of the Semi-Annual Report by the Downtown Association Manager Katherine Hayes**

Coos Bay Downtown Association (CBDA) Manager Katherine Hayes and CBDA Secretary, Gina Young stated the CBDA provided management services for the City of Coos Bay Main Street Program in effort to improve and revitalize downtown Coos Bay. Provided current and future plans relating to the CBDA's strategic plan goals which included: promoting the value of Coos Bay and to create more reasons for people to come downtown; fostering active and strong partnerships with local organizations and community stakeholders and to promote the credibility and visibility of the CBDA; supporting business development by strengthening local businesses and expanding the CBDA membership network; building an engaged and energetic leadership network, and; ensuring the sustainability of the CBDA. Ms. Hayes reported that Brian Bowers was recently hired as the CBDA's Main Street Manager.

### **Presentation of Semi-Annual Bay Area Chamber of Commerce Activity Report**

Timm Slater, Executive Director of the Bay Area Chamber of Commerce (BACC) provided information on BACC's four strategic objectives: creating a strong local economy, promoting the area, providing networking opportunities, and representing business issues. Other updates included information on the various BACC teams and committees, efforts to promote tourism, Chamber operations, and staff and director activities.

### **Public Hearing to Consider an Ordinance Regulating Smoking on City Boardwalks and City Pavillions – Approval Would Require Enactment of the Proposed Ordinance**

Public Works Director Jim Hossley stated at the May 6, 2014 Council meeting, Councilors requested staff bring forward an ordinance prohibiting smoking under the wooden pavillions at the north end of the City's wooden boardwalk. The City's current ordinance prohibiting smoking in Mingus Park was adopted June 1, 2010 and could be amended to expand the smoking prohibition to the proposed buildings. The proposed ordinance would add language to the City's municipal code to prohibit smoking within twenty-five feet of the City's wooden boardwalk which would also include the City's three pavillions. The potential fine amount for the violation of the proposed smoking ban was addressed within the existing Parks Regulations (CMBC 12.35.030); not to exceed \$1,000. Police officers would have flexibility in the way they handled

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violations of the proposed smoking ban; no smoking areas would be designated by signage. Mr. Hossley provided a PowerPoint presentation highlighting the area in which smoking would be prohibited. Mayor Shoji opened the public hearing. No public comments were given and the hearing closed. Councilor Groth moved to enact the proposed ordinance amending Ordinance No. 428 regulating activities and uses within the Coos Bay Park System. Councilor Leahy seconded the motion. Deputy Finance Director Amy Kinnaman read the ordinance by title only and Ordinance No. 458 was enacted by the following vote:

Aye:	Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan
No:	None
Absent:	Daily and Kramer

### **Public Hearing to Consider Approval of Amendment to Resolution 14-12 for the Fiscal Year 2014-2015 Budget – Approval Would Require Adoption of Resolution 14-12 Amendment**

Finance Director Susanne Baker stated the budget Resolution 14-12 for fiscal year 2014-2015 was approved by the Council on June 3, 2014 and was being brought back to the Council with an amendment to insert the amount of the annual fire station debt service payment in the same paragraph as the rate per thousand of taxes to be imposed. In accordance with Oregon budget law, a public hearing was required for the purpose of taking public input. Mayor Shoji opened the public hearing. No public comments were given and the hearing was closed. Councilor Leahy moved to adopt Resolution 14-12 Amended for Fiscal Year 2014-2015 budget. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Approval of Healthy Eating Active Living Cities Campaign – Approval Would Require Adoption of Resolution 14-14**

City Manager Rodger Craddock stated since 2012 the League of Oregon cities and the Oregon Public Health Institute have been working statewide to help civic leaders create healthy communities through the Healthy Eating Active Living (HEAL) Cities Campaign. The campaign highlighted the crucial role municipalities could play in creating healthy communities for their residents by adopting policies that expanded healthy options where residents live, work, shop, learn, and play. Also offered many tools to cities including: a policy library and one-page information sheet with guidance on the most popular HEAL options; periodic webinars featuring national experts and the perspective of local government leaders; free consultation and technical assistance, and; grants assistance to HEAL Cities for implementation of HEAL policies. Mayor Shoji states she served on the League of Oregon Cities HEAL Committee, and read the proposed resolution out loud. Mayor Shoji moved to adopt Resolution 14-14 Healthy Eating Active Living Cities Campaign. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

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### **Approval of an Easement Acquisition for the Empire Boulevard Newmark Street-Wisconsin Avenue Multi-Modal Transportation Improvement Project – Approval Would Required Adoption of Resolution 14-13**

Public Works Director Jim Hossley stated the City applied for a grant through the Oregon Department of Transportation (ODOT), Transportation Enhancement (TE) program and was awarded the grant in 2012. When the City applied for the grant, a right-of-way or easement acquisition was not included because the project was planned to be constructed within the existing right-of-way. Since that time, ODOT informed the City of a new Federal Highway Administration (FHWA) driveway evaluation requirement that affected environmental and right-of-way access. The City was now required to obtain four (4) easements from private property owners to meet the new FHWA requirements. Two (2) locations were permanent easements and two (2) were temporary work easements. Mr. Hossley presented to the Council copies of the easement descriptions and locations prepared by ODOT. In order for the project to move forward, ODOT needed to negotiate with each property owner to obtain the proposed easements. ODOT requested the City acknowledge and authorize them to negotiate the easement acquisitions on behalf of the City. Mr. Hossley noted easement negotiations by ODOT would not impact the project budget. Councilor Groth inquired if the affected property owners had been contacted by the City and/or ODOT. Mr. Hossley stated City staff had not contacted the property owners and he was not sure if ODOT had made contact. Mayor Shoji moved to adoption Resolution 14-13 acknowledging and authorizing the Oregon Department of Transportation to negotiate easement acquisition for the four (4) locations, needed for the Empire Boulevard Newmark Street – Wisconsin Avenue Multi-Modal Transportation Improvement Project, IGA #28469 and that staff notify affected property owners about the proposed easements. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Consideration of Approval for an Emergency Mechanical Bar Screen Replacement for Wastewater Treatment Plant No. 1**

Public Works Director Jim Hossley Wastewater Treatment Plant #1 (WWTP#1) was upgraded in the early 1980's; at that time a mechanical bar screen was installed at the headworks. The bar screen was used to remove large objects such as rags, plastic bottles, bricks, solids, and toy action figures from the waste stream entering the treatment plant. Bar screens were vital to the successful operation of a plant, and reduced the damage to valves, pumps, and other appurtenances. In May of this year, the mechanical bar screen dislocated from its track and was damaged. Upon investigation it was determined that major corrosion of both the tracks and the apparatus had deteriorated beyond repair. Since the time of failure, operators were manually "raking" the bar; however operators had serious concerns about keeping up with the flows during the coming rainy season. Collection of debris on the bar screen would interfere with the treatment process and potentially damage valves, pumps, and other appurtenances. Additionally, the failure could result in WWTP#1 exceeding permit limits; as such the repair was deemed an emergency.

Per the 20-year takedown list, WWTP#1 was scheduled to be upgraded in 2019. A mechanical bar screen was designed for the 20-year build out flow rate. Staff coordinated with wastewater contractor CH2M Hill-OMI; two alternatives were analyzed. Option one: purchase a new

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mechanical bar screen from a factory; option two: manufacture and purchase parts to rebuild the mechanical bar screen. Option one was estimated to exceed \$200,000 while option two was estimated not to exceed \$50,000. Option two would require four components: a crane to remove and replace the mechanical bar screen; purchase of a motor to operate the bar screen; purchase of the rack and pinion, and; manufacturing of necessary parts (tracks and sidewalls). Councilor Groth moved to approve the purchase to rebuild the mechanical bar screen for WWTP#1 for an amount not to exceed \$50,000. Councilor Bowers seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Approval of Purchase of New Pumps for Pump Stations 12 and 13**

Public Works Director Jim Hossley stated pump stations 12 and 13 (PS#12 and PS#13) were located adjacent to Ocean Boulevard and conveyed sewer flows to wastewater treatment plant #1 (WWTP#1). Both pump stations were last upgraded in 1992. Per the City's 20-year takedown list, upgrades were not proposed until 2023 and 2024. As part of the City's capital improvements plan for fiscal year ending 2014, \$23,825 was budgeted to service/repair the pumps at PS#12 and PS#13. While preparing for the project, staff was informed by the manufacturer that the pumps were no longer supported and pump parts were no longer available; further stating that the factory no longer had the pumps' serial numbers in their database and thus deemed obsolete. As such, the manufacturer was not able to provide specifications to explore the possibility of having the parts fabricated.

Mr. Hossley stated the pumps were over 20 years old and had exceeded their life. Each pump station had two pumps; one for redundancy required by the Department of Environmental Quality (DEQ). Staff requested Council to approve the purchase of four new submersible pumps for a total cost of \$31,418. Pumptech, Inc. was the sole source for the needed Cornell Products pumps. Councilor Groth moved to approve the purchase of four pumps to serve PS#12 and PS#13 (two pumps each) for an amount of \$31,418. Councilor Leahy seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Approval of 2014-2017 Local #2935 International Association of Fire Fighter Collective Bargaining Agreement**

City Manager Rodger Craddock stated the labor contract between the City and the Coos Bay Chapter of the International Association of Fire Fighters (IAFF) Local #2935 was due to expire on June 30, 2014. In October 2013, the City received notification from IAFF's attorney expressing the union's desire to enter into contract negotiations. Mr. Craddock stated he and Chief Anderson met with IAFF's bargaining team members on four different occasions. At the conclusion of the fourth meeting, the City contracted with the Local Government Personnel Institute (LGPI) to assist in the negotiations. With LGPI's assistance, the City and IAFF collectively arrived at several tentative agreements.

Mr. Craddock provided the Council with a summary of the tentative agreements which included: a 1% cost of living adjustment (COLA) for fiscal year ending 2015 (FYE 2015); a 2% to 5% COLA increase to be based upon January 2015's US CPI-W Size B/C for FYE 2016, and; a 2% to 5% COLA increase to be based upon January 2016's US CPI-W Size B/C for FYE 2017.

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Bargaining unit members would be allowed to use vacation time in two hour increments as long doing so did not create an overtime situation; overtime would be earned for actual time worked when called in to work within one hour of a schedule shift, and; sick leave accrual up to 1,600 of unused time. Additionally, bargaining unit members would be allowed to deposit the allowable percentage of unused sick leave at retirement into a deferred compensation plan/and or a health retirement account (HRA); language relating to medical/dental coverage was changed to be substantially similar to the City's two other collective bargaining units; physical fitness incentive requirements were changed to increase the difficulty of the test and to require gym time in order for bargaining unit members to qualify for the incentive. Mr. Craddock noted the possible three year financial impact over the life of the contract could be as high as \$84,656; estimated actual (based on historical average of the US CPI-W Size B/C) would be closer to \$58,636. City Attorney Nate McClintock stated the contract was negotiated as previously discussed with Council. Councilor Groth moved to approve the negotiated contract changes and allow the City Manager to sign a new three year labor contract with the Coos Bay Chapter of the International Association of Fire Fighters Local #2935. Councilor Bowers seconded the motion which carried with Mayor Shoji and Councilors Bowers, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Appointments of City Council Committees**

City Manager Rodger Craddock provided a brief overview the of the various Council roles and assignments for city and community boards; noted the following appointments were vacant or unassigned: Council Finance, Council Rule Making, Oregon Coast Historical Railway, Egyptian Theatre Restoration Steering, and the Egyptian Theatre Preservation Association. Councilor Bowers indicated he would be willing to serve on the aforementioned committees with Council's approval. It was the consensus of the Council to appoint Councilor Bowers to the aforementioned vacant/unassigned Council committees.

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

No comments were given.

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

City Manager Rodger Craddock reminded the Council and community of a grand opening and ribbon cutting ceremony was scheduled for 12:15 p.m. on Wednesday, June 18<sup>th</sup> at Verizon Wireless/Phones Plus; grand re-opening of the Egyptian Theatre was scheduled for Friday, June 20<sup>th</sup> at 5:00 p.m. Mr. Craddock reviewed upcoming council agenda topics.

### **Council Comments**

Councilor Leahy reminded the Council and community that Empire would be holding their annual Clamboree event on June 28<sup>th</sup>; Coos Bay Boat Building Center would also be holding an open house on June 28<sup>th</sup>. Councilor Groth stated public meetings were scheduled for 3:00 p.m. and 6:00 p.m. on June 18<sup>th</sup> to discuss and take public input on the future of the Coos Bay Library structure; reported the Coos Bay-North Bend Water Board recently approved their fiscal year 2014-2015 budget which included a 1.75% rate increase on water rates to cover infrastructure improvement; noted the group working to connect the Coos Bay and North Bend

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boardwalks had organized a community walk event along the waterfront scheduled for Saturday, June 21<sup>st</sup>. Councilor Vaughan expressed concern about discarded cigarette butts in the area around the Wednesday Market. Mayor Shoji suggested the City of Coos Bay should define kennels within the City's zoning ordinance.

**Adjourn**

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for July 1, 2014 in the Council Chambers at City Hall.

  
Crystal Shoji, Mayor

Attest:   
Susanne Baker, City Recorder