

# **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**July 27, 2021**

The minutes of the proceedings of a City Council and Urban Renewal work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 pm in Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

## **Those Attending**

Those present were Councilors Stephanie Kilmer, Carmen Matthews, and Rob Miles. Mayor Joe Benetti attended remotely by teleconference. Councilors Lucinda DiNovo, Drew Farmer, and Phil Marler were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Assistant City Manager/Finance Director Nichole Rutherford, Public Works/Community Development Deputy Director Jennifer Wirsing, Water Quality Administrator/Engineer Stephan Stys, Police Chief Chris Chapanar, Library Director Sami Pierson, and Community Development Administrator Carolyn Johnson.

## **Flag Salute**

Councilor Miles opened the meeting and led the council and assembly in the salute to the flag.

## **Public Comment**

No public comments were made.

## **Public Comment Form**

No public comment forms were received.

## **Review of the Upcoming City Council and URA Board Agenda Action Items:**

### **Review of Request for Reimbursement on Façade Improvement Grant at 375 Central Avenue**

City Manager Rodger Craddock shared that the applicant had requested reimbursement of the remaining \$25,000 of the approved \$50,000 Façade Improvement Grant, approved by the Urban Renewal Agency (Agency) in February of 2020, without the window/door repair/replacement portion being completed. The applicant was actively working on a window repair/replacement strategy that will comply with the federal guidelines, but continued to run into roadblocks. Finding a path forward will take a significant amount of time and research. The applicants had completed the other elements of the approved grant, which have exceeded the original project estimate of \$100,500.00, with total cost approximately \$114,000.

Unrelated to the façade improvement grant, the applicants indicated completion of most of the interior refurbishing and had recently hosted the first big event; offices were ready to lease; and there was a party interested in the coffee shop.

## **Review of Request for Urban Renewal Improvement Grant Request for 260 and 265 South Broadway**

Community Development Administrator Carolyn Johnson shared that the property owners of 260 & 265 South Broadway had jointly submitted an Urban Renewal Improvement Grant application for repairs and façade improvements. Structure frontages were on Broadway Avenue (west) and Bayshore Avenue (east) for the following work and improvements:

260 S. BROADWAY (Restaurant O) - Broadway Avenue elevation work would include removal of existing awning frame; existing windows, exterior wall framing and wood siding. A rebuild of the lower portion of the wall would enable compliance with flood-proofing requirements. Additional work would include relocation of emergency/service door, installation of 12' wide by 6' tall glass overhead garage door, installation of new wall framing, new fiber cement siding and new polycarbonate awnings. Painting of exterior siding and trim was also a part of the project. Bayshore Avenue elevation work would include repair of existing wood siding and existing awning frames, painting of existing siding, trim and window frames, and installation of new awning material and under-awning LED lighting.

265 S. BROADWAY (My Yarn Shop) - Broadway Avenue elevation work included repair of existing concrete finish, new paint on existing walls, trim, and window frames and installation of new polycarbonate awnings and new under-awning LED lighting. Bayshore Avenue elevation changes would be achieved with repair of existing concrete finish, painting of exterior walls, trim and window frames and installation of new awning material and under-awning LED lighting.

Mayor Benetti discussed perceived conflict of interest due to being the current owner of the buildings, which were under a sales agreement with the applicants and the price had been agreed upon prior to intention and submission of the grant application.

## **Discussion Regarding Revision to Previously Approved Façade Improvement Grant Request for 275 North Broadway (Tioga building)**

City Manager Rodger Craddock shared that during September 2020, the Urban Renewal Agency approved a Building Improvement Grant for extensive renovations of the facade, the historic sign, and installation of fencing and exterior lighting of the Tioga building. The cost for those improvements was estimated at \$528,985, with the Agency approving \$264,492.50 towards the project which was now nearly complete. In addition to the façade project, the owners of the property remodeled and refurbished numerous apartments, some of which were out of service for several years. The building owners desired to remodel the second floor of the building which once housed an expansive ballroom. The old ballroom and the majority of the second floor has been dormant for many years. The owners want to put the second floor back into productive commercial use. As such, additional funding is being sought by the building owners for both residential rehab and remodeling the second floor. A total of \$200,000 is being requested of which \$100,000 is for the rehabilitation of residential units in the building and the other \$100,000 is for renovation of the 2nd floor. Robb Crocker of Tioga LLC provided an update on the renovation project.

## **Consideration of City Fee Schedule Revision Options Related to Recent CBMC Title 17 Amendments**

Community Development Administrator Carolyn Johnson shared that a revision to current land use permitting fees was presented to Council for discussion and consideration. The proposed fees were based on the value of staff time and materials to process land use permits; not dissimilar to permit fees required in similar Oregon municipal agencies.

The proposed fee amendments resulted from Ordinances 540 and 541 adoption amending CBMC Title 17 procedures. Streamlining of the land use permitting process was now in place but not reflected in the current fee schedule, which did not adequately cover staff time and material costs. FY 20/21 land use permit fees provided about \$39,000 in city revenue, far less than the staff costs required for processing land use permit applications. If fee revisions and new fees proposed were adopted, additional City revenue was anticipated to accurately reflect the City's cost of land use permitting services.

## **Presentation of the Pre-Design Report for Wastewater Treatment Plant 1**

Public Works/Community Development Deputy Director/City Engineer Jennifer Wirsing shared that predesign efforts for Wastewater Treatment Plant 1 had been completed and Craig Massie, P.E. from Jacobs' was here to present a status of this project to Council. Water Quality Administrator/Engineer Stephan Stys provided a summary background and introduced Mr. Massie. Mr. Massie reviewed the progress to date on the predesign plans, options available for bid and construction process, and provided recommendation for next steps.

## **Discussion Regarding Potential Library Bond Issuance**

City Manager Rodger Craddock shared that at the July 21, 2021 Coos Bay Public Library Board of Trustee meeting, the board made the decision to recommend to City Council to place the library bond on the ballot in May 2022. Mr. Craddock shared a summary of the process to date. Ms. Wirsing provided an update on the process for repairing the roof. Curt Benward addressed concerns about necessary repairs in order to maintain a working library while awaiting construction of the new facility, stressing the importance of the safety of staff and citizens using the library.

## **Discussion Regarding Proposed Flag Policy**

City Attorney Nate McClintock stated during a council meeting in June, a citizen request was received to place the Pride Flag on a city flag pole. Though the request was not granted due to the lack of a flag policy, it was requested that the matter be discussed at a future meeting and for staff to prepare a policy. Mr. McClintock research the matter and gathered similar policies other entities had in place, with the focus being on the City's Eighth Amendment right to determine which flags were representative of the City's sentiment. The proposed policy provides for two or more Council members to recommend a flag for display, with a super majority vote to approve.

Anse Tauber and Cameron Stringfield, Coos Bay, shared personal experience in the

community regarding challenges surrounding acceptance and acknowledgement of the LGBTQ+ community, and the importance, statement, and support the Pride Flag would represent for the LGBTQ+ community.

Councilor Miles discussed the requirement for policy presentation to Council which currently denotes two councilors to request presentation to Council. Mr. McClintock confirmed the policy draft currently provided for the requirement of two councilors to request presentation and review by Council, but could be changed, with the key is that Council would work together to approve a policy that works best in the community. Councilor Matthews asked which flag poles would be available for other flags to be flown. Mr. Craddock share that the flag poles would be those at the boardwalk. Discussion surrounded super majority vote noted in the draft policy. Mayor Benetti suggested that more time was needed for review of the policy, specifically addressing the location of flags, the time period for having the flag flown, and whether the policy is approved annually or permanently. Discussion regarding First Amendment rights were discussed. Councilor Kilmer suggested we should wait until the full council was in session to get consensus of the group as a whole. Consensus was to review the policy for additional recommended changes to the flag policy.

### **Discussion Regarding Proposed Time, Manner and Place Camping Ordinance**

City Manager Rodger Craddock shared that over the last several months, staff has been working on the development of a Time, Manner and Place Camping Ordinance that complies with the requirements outlined in House Bill (HB) 3115 and Martin v. Boise which have helped to established the rights of the public to rest and sleep on public property and right-of-way (ROW), as well as the way in which cities can manage the use of these public spaces. From those efforts, an ordinance had been prepared and presented to the Homeless Work Group who provided additional feedback. With that feedback, the ordinance was further updated, in preparation of presentation to a committee of elected officials from both Coos Bay and North Bend to ensure consistency and compatibility of regulations surrounding use of public spaces, including the right-of-way, by the unhoused for the purpose of resting, sleeping, or camping. The Homeless Work Group has reviewed, approved and recommended the draft ordinance for Council consideration. Councilor Kilmer confirmed the efforts undertaken to date, the importance the ordinance in order to establish standards city-wide and provide tools to city staff and law enforcement, as well as educational opportunity for the community and collaboration with the City of North Bend and Coos County. Councilor Miles asked about the ordinance regarding the Temporary Lodging Ordinance and whether there was concern with the difference in language between the previous ordinance and the new ordinance for non-profits and religious organizations, regardless of zoning. Mr. Craddock shared that change was intentional, as the draft ordinance limited non-profits and religious to three units per property. Emil Gregowsky shared had been living in the community for several months and wondered how the ordinance addressed needs surrounding public restroom facilities. Mr. Craddock shared there were public restrooms throughout the city and may need to add more portable facilities. Councilor Kilmer noted that property owners who allow temporary camping would have to provide access to facilities. Mayor Benetti shared his support of this great first step and was absolutely necessary.

**Adjourn**

There being no further business to come before the council, Councilor Miles adjourned the meeting. The next regular council meeting was scheduled for August 3, 2021 in the council chambers at city hall. These minutes were approved as presented by City Council on August 17, 2021.



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Joe Benetti, Mayor

Attest: Nichole Rutherford  
Nichole Rutherford, City Recorder